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LAND TENURE AMONG THE KAMBA

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(*continued*)

TENURE AS IT IS AT PRESENT

The system of land tenure among the Machakos Kamba is at present in a state of flux. It is impossible to say with certainty that the universally recognised law on any particular point is so and so. There is the modern school of thought, which naturally includes a large proportion of the younger men, which finds the trammels of the traditional system irksome. Given its way this school of thought would probably go all out for a completely individual power of disposal, and would recognise no restraining or controlling right vested in the kinship or the local elders of the tribe. Its attitude to land would be more individualistic than that of Europeans. The most potent of the circumstances which exercise some hampering influence on the aspirations of these younger men is probably the power wielded by their wives and mothers. There is also the traditional school of thought which sees grave danger in these modern ideas and would, if it could, retain the ancient principles; "feels" is perhaps a better word than "sees", for these traditionalists, mostly old men and women comparatively unimpinged upon by culture contact, cannot readily express the dangers that they fear; their experience is too limited, and their fears instinctive; they cannot put them into words; to them the new

ideas are just all wrong. Between these two extremes is the school of compromise. It probably includes the majority of intelligent and active elders whose experience has not been limited entirely to the traditional Kamba mode of life; it also includes the moderates among the younger men who are not prepared to join their brothers in the individualistic school. It is inclined to move with the times, but will only do it carefully and thoughtfully; it sees dangers in conservative traditionalism and in rapid and change violent, and intends to avoid them all by seeking to understand the threats of both and thinking out the answers. It will not overthrow at once the safeguards of the old nor reject off-hand any possible advantages in the new. This is not intended to convey that this middle school deliberately sets out patriotically to solve a tribal problem; its attitude is simply an intelligent reaction to a situation; it recognises that enormous changes have occurred and that others are occurring, and thinks that law and custom must be prepared to meet the changes. But it considers that some control must still be necessary; there must be no sudden abolition of the old; the old must be adapted to the new conditions or replaced by something else. If the implementing of the new ideas means anarchy the new ideas must not be implemented.

This middle school is the one to which the majority of the members of the modern native courts belong; they have a tremendous opportunity in the execution of their judgements to inculcate their principles and incorporate them in a system which will be widely recognised as the modern Kamba law of tenure. Case law was always a potent codifier with the Eastern Bantu, but formerly it only codified the principles behind the judgements and did not formulate the judgements into rules invariably applied to every action irrespective of its context.

But in the meantime the Kamba customary tenure is in a state of flux. The voice of local authority has been weakened with the weakening of the authority itself, and the principles which actuate the native courts in judgements are still somewhat indeterminate. There is consequently a spate of litigation in regard to land and probably an undue use of the facilities afforded for appeal; no doubt this latter can be ascribed in part to a love of litigation for itself and a gambling spirit of tossing double or quits, but if the principle were sufficiently determined as to be incapable of misconstruction, whether inadvertently or in pursuance of some personal end, one might expect a welcome easing off. An authoritative declaration of the principles on which, for instance, the Appeal Tribunal bases its judgements, if those principles are generally upheld by the higher appellate courts, would certainly be justified and salutary. A perusal of the District file on tenure shows that very different opinions have been held by various District Officers, who have presumably been prepared to uphold their several views in the exercise of their judicial powers, as to what is law on such an important matter as the right of outright sale; the principles behind these various statements of the law were sometimes utterly at variance. I would suggest a Provincial declaration for the District; it should, I think, be principal only, not legal or regulative, in character.

The following is a list of terms commonly used in the system of tenure, together with the meanings they usually convey to the average Machakos Kamba. These are not to be inter-

preted as definitions, the terms themselves having no strictly scientific or legal connotations in the language, though they may well be in the process of acquiring them.

The *weu* (c.f. Kikuyu *weru*) is the commonage, the communal grazing grounds. The original meaning of the word is "open grass country, plains" as distinct from bush or forest, (-*eu*, white, light in colour). Strictly the term "commonage" could only be applied to grass country in which the Kamba were fully established and which they could hold against an enemy. The rest of the *weu* was no-man's-land. Nowadays the translation "commonage" is justified, and the word is sometimes used in the plural (*mauweu*) to denote two stretches of *weu* distinct in some particular, as in "the *mauweu* of the Kamba and the Masai". There is very little *weu* left in the inhabited portions of the District, but it is still possible for land (*kisese* or even *ng'undu*) to revert to *weu* temporarily. The word is now used to indicate any land which is not subject to exclusive rights; to express the fact, for instance, that a market site is not individually owned or subject to clan control the Kamba will often say *king'anga' ni weu* or *ta weu*, that is, a market site is commonage" or "like communal land".

Kitheka (cf. Kikuyu *githaka*) is bush, bush-land. The word is occasionally used like the Kikuyu *githaka* to denote a piece of land subject to exclusive rights, and then can be used in the plural (*itheka*).

An *ng'undu* (pl. *ng'ndu*) (cf. Kikuyu *ng'undu* as used particularly north of the Chania River) is arable land subject to exclusive rights. A family's *ng'undu* is its permanent cultivable holding.

A *kisese* (pl. *isese*) is a demarcated (generally enclosed) patch of grazing land round a *kiengo* (cattle post) or *musyi* (homestead) or round the former site of a *kiengo* or *musyi*. It is subject, in certain circumstances, to exclusive rights.

A *muunda* (pl. *miunda*) (cf. Kikuyu *mugunda*) is a cultivated patch of land, a tilled field, a garden. The meaning of the word is very wide. It can refer to cultivation anywhere and of any size or it may refer specifically (according to the context) to the whole cultivation, including fallow, in an *ng'undu* or to an individual woman's share.

An *iyanzo* (pl. *maanzo*) (cf. Kikuyu *iganjo*) is a cultivated or cultivable patch on the site of an old *musyi* or *kiengo*, in particular the former. The site of an abandoned *musyi*, whether cultivated or not, is also called *inyanzo*.

A *kianda* (pl. *sianda*) is a particularly rich patch of soil, well-watered or alluvial in origin. It was formerly used almost exclusively for sugar-cane and bananas, but nowadays may be used for grain and other crops as well. It is generally under continuous cultivation and is a special form of *muunda*.

An *uyau* (pl. *mayau*) is an irrigated or irrigable *muunda*, formerly specially used for sugar-cane.

An *iyei* (pl. *maei*) is a patch of land left fallow after cultivation.

An *utee* (pl. *ndee*) is a strip of bush-land left uncultivated round the cultivated portion or portions of an *ng'undu*. There is an *utee* between the outside edge of a *muunda* and the fence (*mathanzu*) enclosing the *ng'undu*, and generally two contiguous *ndee* between the gardens of two co-wives or other individual cultivators. The width of the *utee* depends on the amount of land available. Where the area of the *ng'undu* is inadequate there may be no *utee* at all. The Kamba describe the *utee* as the piece of bush to which the workers on the *muunda* go to defaecate. It is thus fertilized to some extent and when the *muunda* is left fallow a portion of its *utee* may be cultivated, the fallowed *muunda* then becoming its *utee* in turn.

A *wiyu* (pl. *mbiyu*) is a small piece of land, usually at or near the homestead, enclosed as a pen for calves and for sick and lame beasts which cannot be taken out to graze.

An *mbee ya muunda* or *mbee ya iyanzo* is the strip of land cultivated or cultivable by the individual woman. The boundary between two *mbee* is not necessarily demarcated. Each woman, on or some time after marriage, is shown where she can start her first *muunda* or *iyanzo* and the general direction in which she is to proceed. Generally, as long as land is ample, each wife leaves an *utee* between her *muunda* and her neighbour's. The *iyanzo* has no *utee* because the *maanzo* of co-wives are usually separated by a patch of grazing

the *maanzo* being in *kisese*. A woman's *mbee* means simply "what is ahead of her", that is, the general direction in which she will proceed to open up new land. Squabbles between co-wives, one of whom alleges encroachment on her *mbee*, are not infrequent. The Kamba *mbee* corresponds generally to the Kikuyu *ruthanju*. If there are various types of land in one *ng'undu* the *mbee* is arranged as far as possible so as to contain some of each type.

ACQUISITION

Formerly both *ng'undu* and *isese* were acquired by excision from the *wetu*. Now there is no *wetu* left except a few stretches of useless land and small patches between *isese*. Most of what was once *wetu* is now so closely packed with *isese* that there is no chance of acquisition by excision in any worth-while area, the small bits of *wetu* left being urgently required by the local *isese* owners as communal grazing. Any new-comer who tried to settle in such overcrowded *wetu* would be refused permission by the *utui* elders of the area.

Nowadays the only normal means of acquisition are inheritance and purchase.

PERMANENCE OF RIGHTS

In theory exclusive rights in *ng'undu* never lapse. Each *ng'undu* is owned in perpetuity by the pioneer who demarcated it and his heirs unless it is sold outright, in which case the purchaser and his heirs hold it in perpetuity unless it is sold outright again. According to this theory a man may leave his *ng'undu* for many years, even for generations, and he and his heirs can claim or reassert exclusive rights at any time. In practice, however, "perpetuity" is a function of the memory of the local residents, and a man returning after many years would not be permitted to oust a more recent occupier unless he could satisfy the local elders that he or his ancestor had actually obtained the land by first excision or by inheritance or purchase. The same principle is followed by the native courts to-day, that is to say, *ng'undu* rights are recognised as permanent, but if a dispute arises the onus is on the non-occupying claimant to prove his claim by means

of the *kithitu* oath or otherwise. It is for this reason that a man who leaves his *ng'undu*, intending to return at some future time, generally puts an agent or care-taker (*musyaisya*) (pl. *asyaisya*) in charge with instructions to keep the memory of his rightful ownership alive, or, alternatively, makes a point of frequent visits to the area during which he talks to the *atui* (people of the *utui*) about his land and intimates his intention to return and cultivate the land again.

A *kisese* is not strictly subject to permanent exclusive rights. It was demarcated as grazing, and grazing rights in theory were always communal. But in practice pressure on the grazing reduced the size of the community holding such rights to the *utui* only; it did not, however, associate it with the kinship. There is a fundamental distinction here between *isese* and *ng'undu*. If the family holding an *ng'undu* died out completely their rights would pass to their *mbai* and the land would be occupied (and owned) by their next-of-kin. But a *kisese*, being grazing land and in theon. held in common, would in like circumstances revert to the community, not to the *mbai*, that is, it would revert to the community whose common rights in the grazing were still recognised, viz., the *utui*. It would become part of the *wetu* grazed by the *utui*. An *ng'undu* could revert to *wetu* if there were not close relatives of the family which had just died out near enough to make a claim. But at least in theory an *ng'undu* never lacked a lawful owner with a right to exclude the community at large. In this sense *ng'undu* rights were permanent, exclusive, agricultural rights and *kisese* rights were temporary, exclusive, pastoral rights.

But *kisese* rights were certainly exclusive so long as they were exercised, and exercise included a clearly expressed intention to re-exercise. The rights, in fact, like those of an *ung'ndu*, were only safe if they were kept alive, but in the case of a *kisese* a mere expressed intention would not preserve the rights indefinitely; a *musyaisya* exercising actual user was almost a necessity if the rights were to be recognised beyond a period of a year or so.

The operation of this theory, however, was complicated by two factors. One was the fact

that an *inyanzo* (a deserted homestead site) was regarded as being just as subject to permanent exclusive rights as an *ng'undu*. It was used or could be used for agriculture. It included the sites of former dwellings, which for some reason (no doubt the agricultural expert could explain) are nearly always very fertile; it included also the sites of former cattle pens (*siengo* and *mbiyu*), naturally very rich in dung. The *inyanzo* garden was looked upon as almost the equivalent in agricultural value of the *ng'undu* fields, whose fertility depended on their origin, usually on their being deposits of rich surface soil naturally eroded from the higher catchment areas of streams. The fertility of *ng'undu* was not deliberately maintained; it tended to decrease quite rapidly and obviously unless the land was so plentiful that long periods of fallow were practicable. *Iyanzo* lands had a comparatively enormous reserve of organic matter which, though no attempt was made to incorporate it evenly, kept the soil in good heart for lengthy periods. An *inyanzo* garden, being near the *musyi* (both were in the same *kisese*) was very convenient to the agriculturist, and not so difficult to guard during the ripening of the crops, as the generally more distant *ng'undu*. It is therefore not surprising that the women thought a lot of their *maanzo*, and that every wife regarded her *mbee ya iyanzo* as a prize possession on which she would suffer no encroachment. Consequently the *inyanzo* garden, though started in an area set aside for grazing, was put into the category of agricultural lands and acquired the same degree of permanency in exclusive rights as agricultural lands (*ng'undu*) of which the user started agriculturally.¹

As pressure on the common grazing land increased and reduced the frequency of demarcation of new *isese*, new dwellings (as for grown up sons) were built on the old *isese*. The size of the homestead site thus gradually increased and took up more of the *kisese*, and as the *ng'undu* lands lost

¹ One might almost go so far as to state a general principle, applicable to the Kamba if not to the Eastern Bantu as a whole, that the woman's sphere—the homestead and subsistence agriculture—involved a permanency of rights in land, whereas the man's sphere—hunting and pastoral activities and certain public functions involved a temporary right of user only.

something of their fertility the demand for *iyanzo* gardens grew. The homestead would be moved more frequently for this, if for no other, reason. But the new homestead would be in the same *kisese*, which tended to become much more agricultural and permanent in character. It was a rule that no new dwelling could be built "below" the old one, that is to say, homestead sites were chosen in succession each "above" the last. Thus if one boundary of the *kisese* were a stream, where the cattle were watered, and the *kisese* stretched up the valley side towards the top, the first *iyanzo* would be near the stream, the next a little higher up, and so on. In time the *kisese* would have a line of *maanzo* from one end to the other, or if there were two wives or more, two lines or more, each line representing progressive stages in a woman's cultivation of her *mbee*, with possible sub-division for each of her son's wives. Nowadays, when new *isese* are difficult to come by, the movement of the homestead is much less rapid. Now *misyi* are built alongside old ones, that is, along a line at right angles to the axis of the *kisese*. In this way the rule forbidding a backward movement is observed, but the *kisese* gradually becomes more completely filled with *maanzo* than was formally the case, and eventually becomes almost entirely agricultural land (though it may be used for grazing) and subject to permanent exclusive rights. Formerly when the homestead reached the further ("upper") end of the *kisese* a new *kisese* would be demarcated in the *welu* and the next homestead established towards its "lower" end. Nowadays when a man's *musyi*, or that of his descendants, has reached the "top" and has occupied in turn each site along the "upper" boundary there is no further site available; the *musyi* must stay there, unless purchase of another site is possible or the extended family is lucky enough to hold or to inherit land elsewhere.

It is largely in this way that the Kamba is becoming more and more subject to permanent exclusive rights, not the fictitious rights accorded by a successful twisting of the law to suit the individual, but legal rights depending on the persistence of the law relating to the *iyanzo*.

The other factor which helped to complicate the theory of the reversion to the *welu* of the temporarily exclusive grazing grounds (*isese*) was a recent one and engineered in part by officers of Government. When the attempt at compulsory destocking had proved abortive it was felt that individual "ownership" of grazing land would make for better husbandry, that while grazing was very largely communal there was no incentive to reduce the individual herd, but that when grazing was individual too, the owner of a herd would see and understand the danger due to over-stocking of his individual holding. Investigation indicated that there were traditional exclusive grazing rights, and the officers concerned felt themselves justified in encouraging the thorough exercise of such exclusive rights by fencing. There was some degree of opposition, probably for the most part from *isese*—less young men who saw the end of their ambition to become herd-owners using grazing land still largely communal. But on the whole the principle was accepted by the Kamba and their land was largely parcelled out in individual or family holdings fenced with sisal. No doubt what bits of actual *welu* still remained in strips between *isese* and *ng'undu* were sometimes incorporated in the new *isese*. For the new *isese* were to many Kamba really new, not so much in any violent alteration of the boundaries or in any great increase in size, but rather in the connotation of the name; a *kisese* was now no longer a temporary exclusive grazing ground which, apart from its *maanzo*, would revert, if it ever did revert, to the *welu* communal to the *utui*, but a permanent exclusive holding heritable in perpetuity, and reverting, if ever it did revert, to an *mbai*. That at least was one interpretation given to the fencing, not only by the officers but by very many Kamba. The middle school, however, were not so ready to accept it; they saw no harm in fencing or exclusion; these were traditional rights; but reversion to *mbai*, that is, heritability in perpetuity whether the land was used for agricultural purposes or for grazing or not at all, was in their view an innovation which was dangerous because it left the political unit—the *utui*—with

no control at all. In effect the new interpretation, if it had survived, would have meant that all *isese* land was now *ng'undu*, and that the traditionally male sphere had been subordinated to the female, the political to the social, and the communal to the individual. From the Government's point of view it might have helped to save a little of the land a little longer, but it would have meant a stimulation of the growing spirit of unconditioned individualism and rendered the development of a civic sense in respect of native lands more remote than ever. But the middle school of thought, as represented by the present-day Tribunals, usually insist on the retention of the old interpretation of the word *kisese*, and do not recognise a permanent exclusive right to demarcated grazing grounds except to those portions of them which are proved to be *maanzo*.

As to the degree to which the new interpretation achieved its object—the improvement of the grazing lands—the following extracts from a letter dated July 7th, 1944, written by Mr. M. H. Grieve, Agricultural Officer, are relevant:

"...during these past six years the policy for agricultural development has been based on the encouragement of individual rather than co-operative effort.

"Land holders were exhorted and assistance was given to demarcated individual holdings by means of sisal and other hedges. The introduction of this policy in 1938 was generally welcomed by the land holders, appealing no doubt to their desire in many cases to become private owners of the land, and so be relieved from tribal restrictions, and it would appear that the initiators of the policy considered that a native in private possession of his land would take care of it and develop it better than would be the case were the use of the land still under tribal and community control. "I think it is fair after six years of studying the working of this policy to comment upon it. My opinion is that in general it has been ineffective..."

"During the first year communal work on the land was strongly discouraged, the idea being that each land owner should be solely responsible for the condition of his holding. A very few isolated individuals did begin to take more interest in their land, but there was no mass movement towards better farming. About

90% of the grazing areas in the district were duly demarcated by their owners, and grazing was much more confined by the enclosures. The grazing certainly improved in some areas but the greatest improvement was brought about by the compulsory closing of areas, to stock by the authorities and not by the owners themselves.

"It was soon found that little progress could be made by individual effort..."

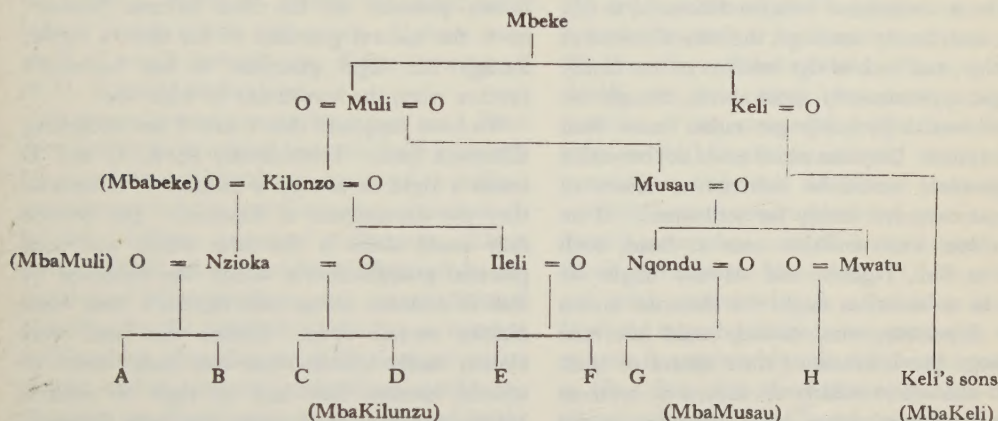
INHERITANCE

The Kamba system of inheritance of agricultural land is of the usual Eastern Bantu pattern, that is to say, it is communally patrilineal in perpetuity in respect of ownership and individually matrilineal in each separate generation or, to put it another way, uxorilineal in perpetuity, in respect of user.

But the general trend towards individualism has affected the pattern of inheritance as well as other aspects of the tenure system, and many Kamba nowadays assert that the patrilineal inheritance of land is entirely individual, that is to say, a man's sons start immediately on his death to own his land in severalty, not jointly. The middle school of thought maintains, however, that though brothers can hold their father's land in severalty it is only by agreement, not by law. According to this view, if there can be said to be an individual living owner of an inherited piece of land at all, it is the eldest living son of the deceased's senior wife or, if she has no living son, of one of her juniors in order of seniority, who holds the land as trustee of the family, but whose individual rights in respect of it are conditioned by his duty to his brothers and his half-brothers. His ownership, in fact, is of a very different nature from that of a man who acquires his ownership by purchase. Absolute ownership, in anything like the European sense, is vested in the man who first acquired the land and subsequently in every generation in a body corporate consisting of the total of his male descendants, the executive (that is, the directing trustees with the power of disposal) being all the adult males alive at any given moment. But the sharing of the user of the land in any generation

is determined by its mother's rights of user, which were themselves determined by their husband's mother's rights, and so on. In the course of time the very much extended family (*mbai*) has many families distinguished from each other by a severalty in mothers in every generation and a severalty in fathers in the preceding generation, a severalty of paternal grandfathers in the one preceding that, and so on. In practice the executive in respect of a continuous piece of land

in the occupation of one branch (since there will certainly have been much hiving-off or dying out) consists of the adult male descendants of the founder who are still living on the spot. It is largely they who can in practice divide the land and ratify a sale by any family or individual of it. If they do divide the land the division will be based on rights of user. The general principle can be illustrated in the following imaginary family tree.



Of Mbeke's two sons the elder, Muli, went off and acquired land in the *wetu*, leaving his younger brother, Keli, to look after their mother and occupy Mbeke's land. Muli had a son, Kilonzo, by his first wife and another, Musau, by his second wife. Kilonzo, Musau and Keli's sons then constituted the MbaMbeke. Kilonzo set up a new *musyi* in the *wetu* and had two sons, Nzioka by his first wife and Ileli by his second. Musau, occupying Muli's land, had two sons, Ngindu and Mwatu. Nzioka, Ileli, Ngindu and Mwatu then constituted the MbaMuli, and Keli's grandsons the MbaKeli. Ileli occupied Kilonzo's land and Nzioka moved away. Ngindu also moved away. Nzioka had two sons, A and B, by his first wife and two more C and D, by his second. Ileli had two sons, E and F. Ngindu had one son, G, and Mwatu one, H. We will assume that there is now no more land available, except perhaps by purchase. A, B, C, D, E, and F now constituted the MbaKilonzo and are in two branches, one on Nzioka's land and one on Kilonzo's. G and H, the Mba-

Musau, live respectively on Ngindu's and on Musau's, i.e. Muli's.

When Nzioka dies, A is *in loco parentis* to B, C and D, but his rights in Nzioka's land are subject to the following conditions:

(a) He cannot of right encroach on the *mbee ya muunda* (in *ng'undu* land) or the *mbee ya iyanzo* (in *kisese* land) which were allocated by Nzioka to the mother of C and D.

(b) He must allow his brother, B, a fair share for the purpose of user, of the *mbee* allocated by Nzioka to their mother.

(c) Grazing on the *kisese* is shared communally by all Nzioka's sons, and an actual division of the grazing, though possible would be unusual. Conditions (a) and (b), so far as the *kisese* is concerned, mean that there must be no user, other than grazing, by A or A's wives, of the *mbee ya iyanzo* of the mother of C and D, and that B must be allowed a reasonable share for homestead and *inyanzo* use on the *mbee ya iyanzo* of the mother of A and B.

(d) On Nzioka's *ng'undu* each woman's *mbee* includes her *utee*.

(e) All those conditions can be overruled, but only by agreement between the parties. Thus A can occupy a portion of B's share with his permission or a portion of C and D's with their permission, not C's alone. Such permissive occupation has no force in law.

(f) If there were ever a formal division of Nzioka's land between his sons the boundaries would be in accordance with conditions (a) to (d), that is, each family would get the *mbee* allocated to its mother, and each of the brothers of one family must get approximately equal shares, though the *ikithathi* would probably get rather more than his strict share. Disputes which could not be settled by agreement would be referred to elders of the same extended family for settlement. If no such elders were available near at hand, such elders as Ileli, Ngindu and Mwatu might be called in to assist, as might the maternal uncles of the disputants, who, indeed, could intervene to protect the interests of their sisters or their sisters' children; similarly the fathers or brothers of the disputants' wives could intervene in the interests of their daughters or sisters or their actual or prospective maternal grandchildren or nephews. In practice a quick settlement might be arranged with the assistance of the *atui*. (This word means "people of the *utui*, settlers", but can be used to indicate "the elders of the *utui*, council of the settlement" in such a context.) In the last report the dispute could be taken to the *nzama* of the *utui*, and nowadays to the Tribunal.

E and F, the sons of Ileli, have no rights in Nzioka's land while there are male descendants of Nzioka living. But they have a first reversionary right; thus if A, B, C and D died without male issue E and F would inherit. They could not, however, disturb the rights of Nzioka's wives in any way, and "death without issue" has to be interpreted according to the Kamba principle. One or more of Nzioka's wives may still be capable of bearing children long after Nzioka's death. She would be "inherited" by Ileli and might bear a son to him or to somebody else. Such a

son would legally be Nzioka's and would be named accordingly (Ngania wa Nzioka); he would inherit Nzioka's land, or that part of it which was his mother's *mbee* if the other widow of Nzioka also had a son who was legally, though not biologically, Nzioka's. One or both of Nzioka's oldest living, full brothers-in-law might occupy his sister's *mbee*; he would have no legal right to it, but his occupation and user of it would be undisputed, at least in "the good old days" before pressure on the land became intense; he is the natural guardian of his sister's rights, though her legal guardian is her husband's brother when she herself has no adult son.

We have supposed that E and F are occupying Kilonzo's land. Theoretically A, B, C and D retain a right to occupy a portion of it because they are descendants of Kilonzo. The portion they could claim is the *mbee* which was their paternal grandmother's, which was occupied by Ileli in addition to his own mother's *mbee* when Nzioka moved away. Unless the land were already badly overcrowded this claim could be upheld because Ileli had no right to exclude Nzioka and his descendants, who were Kilonzo's descendants by another wife. If, however, Ileli had been the younger full brother of Nzioka instead of his younger half-brother Nzioka's sons would have no claim, because on the principle of ultimogeniture Ileli had rightly assumed responsibility for their mother and her land. Nowadays, however, this principle can only rarely be applied in practice because there is no useful empty land to which older brothers can go. A condition of the operation of the principle is that the older brothers first move out; if they fail to do so then the principle cannot operate in practice.

If E and F died without male issue A, B, C and D would inherit Kilonzo's land. The descendants of Musau (G and H) could not claim a portion as of right because Kilonzo, not Muli, was the first holder of the land. But if all Kilonzo's branch died out Musau's branch would inherit Kilonzo's land.

Similarly, if Musau's branch died out Kilonzo's branch would inherit Muli's land and Keli's branch could not claim a right of occupation.

But if Muli's branch died out Keli's branch would inherit Muli's land. If Keli's branch died out Muli's branch would inherit Kelis' land (that is Mbeke's) as well as Muli's. Actual occupation would be by agreement but, other things being equal, the senior branch of the senior branch of the senior branch of the senior branch would have the prior right, that is, A, C, E, G and H would have priority in that order. Thus A might move to Mbeke's land, leaving B to inherit by ultimogeniture their mother's *mbee* in Nzioka's land, or A and C might go, leaving their brothers to inherit Nzioka's land, and so on. If there were no B, C would probably go; if there were no B or D, E would probably go.

In general it may be said that a man has a direct reversionary right in land first occupied exclusively by any of his patrilineal ancestors, and an indirect reversionary right in land first occupied exclusively by any of those ancestors' collaterals. These general rights were formerly conditioned by the practice of ultimogeniture, and are conditioned nowadays by the principle of sharing as between half-brothers according to their mothers' rights of user, and as between full brothers equally, the change in condition having been occasioned by the failure of the land reserve to meet the growth of population.

The actual division of a piece of land between co-wives, on which the practice of inheritance so much depends, arises in the manner now to be described. When the natives say: "The land divides itself", they mean that once the final division between co-wives is made the land is automatically inherited in conformation with that division. For simplicity we will suppose that a man, A, marries his first wife, B, after the death of his parents, so that he holds a piece of land subject to no rights of user other than his own, that it is land which he can claim as his *ng'undu*. When he marries B he will show her where to cultivate, possibly indicating her approximate boundary throughout the *ng'undu*, but probably showing her merely where to start and roughly the general direction of her *mbee*. When he marries a second wife, C, she is first regarded as *mwoitu* (initiated girl) and shares the first wife's

labours on the first *mbee*. She may also share the first wife's hut. When she has had a child, or possibly two children, she is regarded as a *kiveti* (established wife) and sets up a separate home in the *musyi* and starts a *muunda* of her own, being shown approximately her own *mbee* in the *ng'undu*. This new *mbee* will whenever possible be alongside B's, and she will begin to cultivate at the same end of the *ng'undu*. There is an approximate boundary between the two *mbee*—and if the land is ample each wife will leave an *utee* between the edge of her cultivation and this boundary as well as between her cultivation and the boundary of the *ng'undu*. There is thus a double *utee* (two *ndee*) between the cultivated portions of the two *mbee*. The husband will refer to this simply as an *utee*, but the wives guard their individual *ndee* most jealously, and violently resent encroachment, particularly if there is some other cause of rivalry between them. When A marries a third wife, D, she will live and work at first with B. But when she is a *kiveti* she must be allotted a separate *mbee*. If the *ng'undu* is amply wide this will be alongside B's or C's. But when the whole width has already taken up by B's and C's *mdee* and their *ndee* A may allocate a stretch to D which puts her between B and C by reducing the size of their *ndee*. He will probably have to suffer an amount of nagging by B and C and a lengthy period of sulks unless he has first got them to agree. D's life will also be unhappy for a time. If the *ndee* are not wide enough to accommodate a new *mbee* and still leave narrow strips of *utee* between the various women's portions, A may reduce the width of B and C's *mbee*, pointing out new boundaries. But he can only do this with the express permission of B and C. If B is getting old and too infirm for heavy work by the time A marries D she may be prepared to give up part of her *mbee* to D, particularly if she knows herself incapable of bearing further children and her land is more than ample for the probable requirements of her sons. Failing all these possibilities, A can allocate a new *mbee* to D at the other end of the *ng'undu*; this will involve little expostulation on the part of B and C if with ordinary economy in the use

of land they are unlikely to reach as far, and if the actual boundary of B and C's *mbee* had not been pointed out to them so far away. D's *mbee* will cut across the general direction of advance (i.e., the *mbee ya muunda*, "a head of the garden") of the periodic shifts in the cultivation practised by B and C. When B's first son marries and his wife starts agriculture on A's *ng'undu* she will cultivate a patch towards the end of B's *mbee*, but if there is a D who has been allotted an *mbee* at that end, B's son's wife will not encroach on D's *mbee*.

The foregoing describes the conventional pattern of division as it is to-day. It obviously makes for considerable embarrassment and the likelihood of constant bickering between the several families. When land was plentiful this was easily avoided. D, for instance, would have been allotted land, without encroachment on the rights of B and C, by an extension of A's *ng'undu* or by a reduction of the width of the *utee*, probably more than ample in the first place, between it and the next, or by the acquisition of a new *ng'undu* somewhere else in the vicinity of A's homestead. Similarly, the sons of B and C, when they set up house, would find more land for their wives to cultivate, gradually hiving off in turn to new *ng'undu* (and in time *isese*) and leaving their mothers' *mbee* with no more pressure on them than before their birth. Eventually the last-born sons would take over their respective shares and the process be repeated. In theory, and very largely in practice, each *mbee* would be continuously subject to the cultivation-pressure of one woman and only temporarily to a pressure of more than one. The advantage of the system of ultimogeniture in inheritance in those conditions is very clear. The older sons would possibly retain a share of any *sianda* and *mayau* in the *mbee* of their several mothers if they could find no equally satisfactory land elsewhere, but the bulk of an *ng'undu* would be permanently subject to the woman-content it could safely hold, and only very rarely to somewhat more. Nowadays this is not the case. The pressure on an *ng'undu* may increase indefinitely; one reaction is the greater agricultural value placed on a *kisese*

because of its *maanzo*; another is a tendency to limit the number of wives to the woman-carrying capacity of the land, but this is scarcely yet established, for it militates against the Bantu theory that a man must have as many sons as possible to ensure the continuity of his patrilineal kin.

There are two special points in connection with inheritance which are occasionally of practical importance. One is the common Eastern Bantu practice in which a woman who has no son may "adopt" the son of a co-wife. He then becomes responsible for the care of her family's interests, particularly in regard to her individual property (such as goats acquired by the sale of foodstuffs) and her cattle allocation. In return he and his wife may get the user of her strip of land or part of it. In some tribes he is recognised as the rightful heir to the portion of the land his "adopted" mother used, that is to say, he inherits the exclusive right of user and, if the land is divided up, becomes the owner. He is also recognised as the lawful guardian (when his father dies) of his half-sisters who are daughters of his "adopted" mother, and the bride-price paid for them may be used for his advantage (as for acquiring wives for his sons or for himself). He has, in fact, all the rights which would have been his if he had been the only actual son of his "adopted" mother. But with the Kamba this is not the case. A stepson may be "adopted" in this manner though there is no ceremony of "adoption". But he will not inherit as sole heir. He will inherit simply as co-heir exactly as he would if there had been no "adoption", though purely as a matter of courtesy and by agreement he may get a larger share or prior right of user in recognition of his services as trustee of one branch of his father's multiple family. It is similarly maintained nowadays that a man cannot adopt a boy or youth "to fill an empty house", that is, to provide a son and heir for a wife who has no son.

There is, however, a method by which an "empty house" can be filled; this is the second of the two points mentioned. When a woman has no son she may "marry" a girl herself. Bride-price will be paid by her husband from his own

resources or those of the family concerned, that is, the woman's branch of her husband's multiple family. A girl "married" in this way is known as an *iwetu* (pl. *mwetu*). A close relative of the husband's patrilineal kin, generally his own son by another wife, is then invited to live with the girl and "raise up seed" to the father's kin and the sonless wife. Sons born to the girl will then inherit as though they were born to the wife who "married" her; the husband (the head of the family) will be regarded as their paternal grand-father. They will be named, not after their apparent father (son of another house), but after the head of the family. Thus if the latter's name is Nzau and the apparent father's name Kioko, an heir to the woman's "house" will be called Ngania wa MbaNzau (So-and-so of the Seed of Nzau), not Ngania wa Kioka wa Nzau, for Kioka cannot inherit except in his own "house" and the girl (mother of Ngania) is not legally his wife.

The foregoing description of the system of inheritance applied particularly to *ng'undu*. In regard to *isese* the general principles are the same. But any part of a *kisese* which is not actually *inyanzo* reverts to *wetu* when the holder dies unless the exclusive rights associated with a *kisese* are kept alive by actual user in the manner previously described; it is strictly only in this way that a whole *kisese* can be inherited. This principle regarding division of the user (and the possible eventual division of the ownership) between co-families (that is, between co-wives and the wives of co-wives' sons in respect of user, and between co-wives' sons in respect of ownership) means that one family may not encroach in ownership or agricultural user on the *mbee ya inyanzo* (that is, the general direction in which *maanzo* may be taken into use) or on an actual *inyanzo* of another family. Grazing remains communal to the occupying kinship; if the kinship relinquished the *kisese* altogether all it could claim as of right at any later date would be its *maanzo*; the grazing would revert to *wetu*, or if the *kisese* had been occupied in the meantime by someone else his rights to the *kisese* (less the *maanzo* of the former occupiers) would nowadays be enforceable by the Tribunal, which in practice,

however, would generally divide the whole *kisese* between the two, so that the returning kinship could retain its *maanzo* as a part of its own *kisese* (now reduced in size) and not be subjected to the embarrassment of having its *maanzo* completely enclosed in another kin's *kisese*. Occasionally one hears of a family's *ng'undu* surrounded by another family's *kisese*; it is possible that such a piece of land was originally an *inyanzo* which, having lost its status as an agricultural holding in the *kisese* of its owner, is now entirely agricultural and consequently called *ng'undu*.

The rule regarding the establishment of successive homesteads on one *kisese*, which was originally that the *ilumaita* had to build his "*musyi*" "above" the *inyanzo* where his father's *musyi* had been, also affected the pattern of inheritance of *kisese* land. Even now the rule is generally adhered to in its new form, which is that no *musyi* may be established "below" the previous one, because it is believed that the breaking of it will involve the automatic operation of a supernatural sanction and kill the builder or his senior wife. Consequently there could be no *mbee ya inyanzo* cutting across the others at the farther end of a *kisese* because this would preclude the building of later *misyi* in the empty spaces "lower down", whereas in the case of an *ng'undu* an *mbee ya muunda* could be established at the farther end, though whenever possible this would be avoided as it infringed the rights of other families or might be considered to have done so. There certainly could be cultivation at the farther end of a *kisese*, but *kisese* land was grazing land and generally regarded as useless for agriculture until it had been fertilized by lengthy occupation by a *musyi* and *wiyu* or *kiongo*. Formerly a *kisese* would be almost free from residential sites and cultivation for lengthy periods, and the *musyi* and the *maanzo* (if any) would all be at one end. Nowadays this is not the case to anything like the same extent. *Isese* are becoming cluttered with *misyi* and particularly *maanzo*. Continuous residence by an increasing population tends to make them more and more agricultural and less and less pastoral in user. Those portions of a *kisese* which are not strictly heritable in perpetuity

are becoming smaller in size and of less pastoral value. Before very long there will be little to distinguish a *kisese* from an *ng'undu*, unless it be the type of land on which it is established.

WILLS AND BEQUESTS

It appears to be generally agreed that any will or bequest which disregards the principles of inheritance is invalid. A man can divide his land between his various families or sons, as for instance by an allocation of *sianda* or *maanzo*, but any favouritism towards a family or a son would be overruled unless the others indicated their agreement.

SALE

It is almost certainly true to say that there was no such thing as customary sale in the untouched Kamba system. This, however, does not mean that there was never any possibility of sale. A primary holder, that is to say a man who had obtained his agricultural land by demarcation in the *wewu*, which was no-man's-land though used communally for grazing, could do as he liked with it. If he wanted to move on somewhere else, and there was another man who wished to occupy the holding, the primary holder would certainly give it him, or sell it to him if (which would be unlikely when land was plentiful) he was prepared to pay for it. The only condition would be that the local elders (if there were any) did not object to the transaction on the ground that the newcomer would be, in their opinion, an undesirable resident among them. This principle, that a primary holder has the complete disposal of his land, is a common one among the Bantu. But among the Eastern Bantu it has tended to be overlooked because by the time scientific enquiries began to be made there was no longer, with most of the tribes, any possibility of primary holding, and the question: "Can land be sold?" was naturally understood by the people questioned to refer to land which had been inherited for several generations, and their answer, quite correctly, was in the negative. Where primary acquisition from a no-man's-land was still a recent possibility,

as among the Kamba, the answer needed some amendment. It should have been "Sometimes yes, sometimes no". But the Kamba, subjected to a culture contact and a political influence arising from it, have not in recent years always been entirely honest in their answer. Nowadays the elders say: "Sale was always possible", but they failed to add: "but land, once inherited, could not formerly be sold".

We should probably be safe in saying that until the Machakos Kamba came in contact with the British and for some years afterwards their general principle in regard to outright sale was that uninherited agricultural land could, but very rarely would, be sold, and that the possibility of sale of inherited agricultural land was approximately in inverse proportion to some power of the number of families descended in the patrilineal line from the primary holder. This would mean that in a normally expanding kinship the possibility of outright sale was rapidly reduced to nil. When a man had discovered and demarcated an *ng'undu* the *ilumaita* eventually inherited it, but his holding of it was subject to the rights of his older brothers who had demarcated new *ng'undu* in the *wewu*; he could not dispose of it without their sanction. In another generation the kin would be widely scattered and the present holder of the *ng'undu* could not dispose of it without the sanction of all the heads of all the families of the scattered kin. In our imaginary family tree A could not dispose of Nzioka's land without the sanction of B, C and D; E, now living on Kilonzo's land with F, could not dispose of it without the sanction not only of F but of A, B, C, and D, as well. Muli's land inherited by H could not be disposed of without the sanction of A, B, C, D, F, and G, and there could be no disposal of Mbeke's land without the sanction of all the heads of all the families descended from Mbeke. This meant in practice that Mbeke's land could never be disposed of to another kin. Most family trees are much more complicated than our imaginary one, and its living families much more scattered.

The principle of "spiritual ownership" has often been invoked in explanation of the impossibility of outright sale of inherited land. This

principle, if it applied to the Kamba, would mean that Nzioka, having died, was still the owner of the land he pioneered, and his descendants, A, B, C and D, were subject to his spiritual ownership and, since they could never get his sanction, could never sell his land or any portion of it. The "cult of ancestors" is still quite powerful among the Kamba, but I can find no evidence that the spiritual ownership of land means or has ever meant anything at all to them. Possibly we should be right in assuming that it did mean something formerly and reinforced the system of inheritance in banning sales of land. But the system of inheritance is probably a sufficient explanation in itself, because ultimogeniture did not involve exclusive ownership; it involved, in certain circumstances, exclusive user, but ownership was vested in a kinship group, not in any individual. And in the course of time reversionary rights could override them all. C and D, for instance, have direct reversionary rights in Nzioka's land and in Kilonzo's and in Muli's and in Mbeke's, and G and H have direct reversionary rights in Muli's land and in Mbeke's, and indirect reversionary rights in Kilonzo's land and in Nzioka's. Every living male descendant of Mbeke has reversionary rights direct or indirect in every piece of land inherited or otherwise acquired by every other.

Moreover, even although we may accord the Kamba no sense of ownership by the spirits of the dead we must accord them a very powerful sense of ownership by the yet unborn. They recognised their duty of trusteeship for posterity, not necessarily in any altruistic way but simply because a man must leave his "seed" and leave it somewhere where it could flourish and leave its "seed" in turn. There was thus a sense of spiritual ownership vested in the future which at one time operated possibly as strongly as any sense of spiritual ownership vested in the past. This is still intensely functional with the older men but almost absent in the younger, who, however, seem to acquire it gradually as they leave the more immediate desires of youth behind.

Nowadays the tendency in regard to sale is to disregard entirely all indirect reversionary rights

and to pay scanty regard to direct reversionary rights if they are comparatively remote in origin and have not been kept alive by visits. This is part of the general tendency to a disintegration of the larger kinship into smaller and smaller ones. In general, a functional kinship nowadays is limited to those who join in family feasts (as on the marriage of a girl) and hold themselves responsible for the payment of compensation for a homicide committed by one of its members. In practice easy visiting distance between the various *misyi* has a good deal to do with it. It is the functional kinship which regulates the disposal of the kinship land to other kinships. This, however, is little in the way of definition. For a functional kinship varies in size according to the function. Thus kinship which will not intra-marry is usually much larger than a kinship which will join in paying compensation for its members' torts. All the functional kinship show a tendency to diminution, not necessarily in actual population but in the number of the generations covered; over-population is, in fact, one of the causes of narrowing of kinship circles still recognising kinship functionally. But the functions do not lose their intergrating power with equal speed. One of the fastest losers is undoubtedly community in land, and the corresponding kinship circle would probably have narrowed to its centre and become the individual had not the middle school, which can exercise its influence through the courts, insisted on a somewhat wider radius. But it remains impossible to say exactly what that radius is. It is, however, possible to state its lower limit, which is the corporate body (generally full brothers) inheriting in common one *mbee ya muunda*. This is illustrated in the rule, said to be still imposed by the Tribunals, that a suit in respect of a portion of the family land must be brought against the oldest living brother although the debt alleged was incurred entirely by his junior. Even when the land has been divided between the brothers the sale of his portion by one of them without the sanction of the others would, if it came to the Tribunals, be declared a nullity and any consideration paid would be ordered to be returned. Alternatively, if two

brothers inherited between them two *miunda* of their mother's and one of them sold one, the other could occupy or sell the other, and his action would be upheld by the Tribunals.

The upper limit is not so easy to determine. But in general it may be said that every elder of a kinship and original *ng'undu* could exercise a power of veto on the sale of any portion of it by the man who had acquired that portion by inheritance. Other elders should perhaps be added, as for instance those belonging to the same *mba* (not necessarily *mbai*) although not resident on the original *ng'undu*. Thus, in the family tree, E and F could intervene to stop a sale of a portion of Nzioka's land although their reversionary rights are indirect; in fact they would probably be consulted, if they did not live too far away, unless it was the intention of the seller to keep the sale a secret.

If we wish to formalise the answer for the sake of clarity in practice we should perhaps be safe in saying that before a sale of inherited agricultural land can be effected permission must be obtained from every adult male who has inherited and is occupying a portion of the original holding which includes the portion it is sought to sell, and any other adult males who, though not occupying any portion of the original holding, have the same paternal grandfather as the would-be seller, provided that they are reasonably available for consultation.

Other elders have the right of intervention, such as more distant patrilineal relatives and the would-be seller's maternal uncles and *athoni*, but this right does not extend to veto; they can do no more than persuade the elders with the right of veto to exercise it. Relatives on the female side would be particularly influential in this respect. Mothers and wives themselves have considerable power over their sons and husbands; a wise man will always consult his senior wife before he sells a piece of land, and unless his intention is to sell in order to buy a better piece elsewhere the chance is that he will not sell at all.

Another kind of control of the sale of land is that of the *utui* elders. This is an indirect control and depends on their power to refuse residence in

their *utui* to any person whom they do not want. Men believed to be habitual thieves or dabblers in witchcraft are regularly excluded, but the power apparently extends to the exclusion of anyone the elders consider undesirable. Exclusion is effected by refusal to accept the *mbui ya mathanzu*¹ or to administer the *utui* oath.

The sale of grazing land is theoretically impossible as grazing is communal. But a *kisese* cluttered up with *maanzo* may nowadays be sold. But if any subsequent disputes arose or if the buyer wished to sell again, his claim to the *kisese* would be recognised only in so far as the *maanzo* were concerned unless he has exercised continuously his right of user of the rest as his exclusive grazing.

It is a general rule still considered obligatory by the middle school that a man who wishes to sell his land or any portion of it must first offer it to his kindred living on the same *kisese* or occupying the same original *ng'undu*. It is generally considered that he must be prepared to accept a lower price than he might get elsewhere. The principle seems to be that every reasonable effort should be made to keep the kindred's land intact. If his relatives refuse to buy he may then seek their permission in the manner previously described to sell outside the kindred. In practice they will often grant permission to sell a portion, just enough to raise the capital he wants for whatever purpose it was which first induced him to offer land for sale. Sometimes they will raise the amount between them rather than let their kindred's land pass to another kin.

Once a piece of land has been sold the purchaser is in the position of a "primary holder". He can dispose of it or use it as he thinks fit. Some elders appear to hold the opinion that if a purchaser wishes to re-sell he must first offer it to the kin of the original seller. But this, according to some of the middle school, is not a rule; it is merely a matter of courtesy. I am inclined to think that it is a rule, but one which is being increasingly disregarded.

When a purchased piece of land passes to the buyer's heirs it ceases to be a primary holding

¹ The "goat of the stockade", a "first footing" payable by every adult male immigrant.

if the heirs are more than one in number ; it is then subject to the usual rule of inheritance and to the conditions pertaining to the division and sale of inherited land.

The purchaser's relatives can make no claim to a share of user or ownership of the purchased land as of right ; he may grant one or more of them some such right, but cannot be in any way required to do so. When he dies the land is inherited by the usual heirs, that is, by his sons. If he has no sons, his full brothers will inherit and failing those, their sons, and failing those, his half-brothers, and so on. But if he has no sons he may, before his death, direct that his daughter's children shall inherit, and this, since he has complete disposal of the land, would be upheld. (Much the same thing may happen in respect of a piece of land inherited through several generations if the deceased's male kin are all remote ; the daughter's sons may then inherit. It appears that matrilineal principles die hard, and the sense of lineal kinship has not yet become restricted entirely to male descent. What degree of remoteness of the male kindred is considered sufficient to allow the female line to intervene has never, so far as I know, been determined by the courts. Each case would, apparently, be considered on its merits ; such disputes, in any event, are usually settled by agreement).

The principle that a full agreement between co-heirs is a necessary preliminary to a sale is, at any rate in theory, maintained by the Tribunals, which will not demarcate an individual's portion so that he may sell it against the will of his co-heirs. If the latter have first agreed that he may sell, but there is some dispute as to the portion to be put at his disposal for the purpose, a Tribunal may settle the dispute, but it will not divide a piece of land between, say squabbling brothers, giving each a separate portion to be owned and, if he wishes, sold quite independently. This is a refreshing contrast to the practice of certain of the Kikuyu native courts, who have been responsible for much uneconomic sub-division and the encouragement of individual greed.

There is no special ceremonial in connection with sales. If a sale is open and above board

witnesses (particularly elders of the local *mbai* to which the seller belongs and of the *utui* in which he resides) will be called in, and they will be supplied with food, including possibly a sheep or goat, and beer. The boundaries will be pointed out ; they will generally consist of straight lines, not specially marked, between obvious permanent or semi-permanent natural objects such as trees or rocks or ant hills. If such natural beacons are inadequate cairns of stones may be erected at the principal points, one at each corner and one, say, in the middle of each side. A more exact demarcation may be made by planting sisal or (formerly) *muliba* trees along the boundaries.

SECURITY FOR DEBT

Nowadays a man may pledge his land or a portion of it as security for a debt, but if it is inherited land the elders will not permit the creditor to take the land merely because the debt remains unpaid. The debtor's local kinship group, particularly his co-heirs, must be given a chance to pay and it is only when they have refused to do so that the land may change hands. Even then, if the matter came to the Tribunal, the creditor would be required to pay the debtor any difference between the amount of the debt and the assessed value of the land.

MORTGAGE

Mortgage (the so-called "redeemable sale") is not now officially recognised by the middle school, including the Tribunals ; that is to say, that whereas formerly in a dispute concerning the ownership of a piece of land the man who claimed that it had been sold outright would have to prove it, the presumption now is that if some valuable consideration has changed hands in respect of land the land was sold outright, and a man who claimed that it had been mortgaged only would have to prove it.

Formerly mortgage was a fairly common practice ; the right to cultivate a piece of land large enough for a woman's single *muunda* could be obtained for, say, one axe or one goat with or without beer, or for beer alone. Larger areas

could be similarly obtained for a bull or for three or four goats; cows and heifers were not used in payment for cultivation rights. It was the man in need of the particular object (an implement or a goat or bull or a quantity of beer) who would offer a piece of his land to a man who had such an object to spare.

It is said that when actual sales of land became more common there was considerable confusion between the two types of transaction and many attempts at expropriation of the rightful owner. This was rather more than twenty years ago. The matter, it is said, came to a head in or about 1927 when "a meeting of the elders" decided that henceforth all such transactions must be regarded as outright sales. What the "meeting of elders" was is not very clear; it is said to have been a spontaneous meeting of representatives from every part of the district, but this seems unlikely in the extreme and one must suppose that any meeting there may have been was engineered by persons interested, particularly the imposed authorities. However that may be, it is said that the decision was backed and promulgated by the Administration and that by 1931 it had become generally accepted.

That there was some confusion, which appellate authorities would certainly find irksome, is not unlikely. The word for the "sale" of a temporary cultivation right is the same (-*ta*, sell) as that for the outright sale of anything. "To buy outright" or "to obtain by payment temporarily" is *kuthoa*, and the causative of this (*kuthosya*) is also used for "to sell" whether the sale involves the passing of an actual object or a temporary right of user only.

But although the custom of mortgage has been "officially" discountenanced to some extent it still persists, though shortage of arable land is making its operation comparatively uncommon.

"Mortgage" in its English legal sense is not, of course, exactly the right word. It is true that the "mortgagor" raises a loan by handing over land, but there can be no question of interest or foreclosure. The land is not strictly handed over as security for a debt. The whole transaction is essentially the exchange of a temporary

right of user of one object for the temporary right of user of another. But on the one side user means destruction—the axe is worn out, the goat eaten or paid away to someone else, the beer drunk—whereas on the other (at least in native eyes) there is no destruction. Redemption (-*tua*, unsell, redeem) therefore means, on the one side the return of the equivalent of the object now destroyed, and on the other the cessation of the right of user.

In theory redemption can take place at any time. But in practice the holder of the temporary cultivation right is given a square deal. He is permitted to reap his standing annuals.

Such temporary cultivation rights are heritable but inheritance does not preclude redemption however many generations have passed since the first exchange. But in the event of a dispute a man who claims a piece of land in this way would have to prove his claim.

Before a man can "mortgage" a piece of land he has inherited he must get permission from his co-heirs unless the land inherited has been finally divided up between them. Witnesses to any transaction of the sort are usually called in and generally include some elders of the "mortgagor's" local *mbai*.

LOAN

A man may, with the permission of his co-heirs, if any, lend a piece of land of which he is the owner or of which he has a share in ownership to another man for the purposes of user only, provided that the *utui* elders are prepared to accept him as an occupier or a resident of their *utui* or that he is one already. The borrower (*muvoi*—the *v* bilabial—"beggar"; —*voya*, "beg, ask for") will have to pay the *mbui ya mathanzu* and swear the *utui* oath.

The loan is interest-free, the arrangement being generally a friendly one, as when two friends wish to live in the same locality. But nowadays, land being scarce, would-be borrowers are comparatively many and willing lenders few, and it is probable that lending rarely happens except when the lender gets some real advantage

from his lending, such as assistance in the herding of his stock and in the maintenance of his fences and the building of his homestead. I came across no actual instance of the payment of a rent, either in cash or kind; but this may well be in the process of emergence.

Theoretically a borrower can be evicted without notice and without reason given. But formerly the custom was that he could only be evicted for some anti-social behaviour such as habitual theft or witchcraft or for some serious offence against the person or the property of the lender or the lender's kin, or for generally vexatious conduct in the *utui*. He would normally be allowed to reap his annual crops already planted. Nowadays a borrower who has obviously improved the land or has, say, built a permanent or semi-permanent house on it can seek the protection of the Tribunal, who will refuse to let him be evicted without reasonable compensation unless the lender can show that he stated his disapproval at the time, not only to the borrower but before the local elders, of the borrower's starting on the work which has improved the value of the land. A borrower of long standing, one for instance who inherited the loan from his father, the latter or many of his cattle having died on the borrowed land, is by no means easily evicted if there is nowhere else where he can settle. He will probably refuse to go, invite the *atui* to his home, and complain to them in some such words as: "My father was his father's friend. He should either let me go on borrowing or let me buy the land, or he should go to the Tribunal and lay a charge against me." If the *utui* elders regard him as a respectable resident of their *utui* they will almost certainly support him and persuade the lender's kinship to forbid eviction.

None the less a *muvoi*'s tenure of the piece of land he occupies is tending to become more and more precarious as the legitimate requirements of an ever-growing kindred press more heavily on the land available.

It is generally accepted that a borrower cannot be evicted merely to make room for another. It is also generally accepted that a piece of land on loan cannot be sold over the borrower's head;

he must first be given the chance to buy it himself.

OTHER FORMS OF CULTIVATION RIGHT

The cultivation rights of a widow (*ndiroa*; -*tia*, leave) on her deceased husband's *ng'undu* and *kisese* continue until her death, that is, her *muunda* and its *mbee* on the *ng'undu* and her *iyanzo* and its *mbee* on the *kisese* are subject to her right of user. Every widow is "inherited" by one of her husband's close kin, his brother if there is still one living, but no man may "inherit" more than one widow of one man. The "inheritance" is mostly an assumption of responsibilities until the widow's son is old enough to assume them. But in effect it confers a temporary cultivation right to portions (the widow's *mbee*) of his late brother's land. Except with the widow's permission, however, he cannot use the land by putting further workers on it, and he himself cannot use the produce for his own advantage apart from foodstuffs for immediate consumption; any more substantial profit must be held in trust for the widow's family, actual or prospective. He can, if she agrees, cohabit with her; her failure to agree does not relieve him of his responsibilities as trustee of her family.

Sometimes the widow's brother may step in and cultivate her land; he cannot claim to do so as of right, but very rarely would her late husband's kin attempt to stop him. Here again, at least in theory, any considerable advantage must accrue to the widow or her family, that is, the brother's maternal nephews.

Matrilocal marriage is not entirely unknown among the Kamba. Occasionally a poverty-stricken man (*ngia*) who has no land and has insufficient means to purchase any may live on his father-in-law's or brother-in-law's land. His wife will then be allotted an *mbee* either in some spare *ng'undu* land or on her mother's *mbee ya muunda*. Her husband may then be said to have a cultivation right on his *muthoni*'s land. But it is permissive only and the matrilocal husband is expected to acquire sufficient land elsewhere as soon as possible. In fact in general a man cannot expect a girl to marry him until he can provide her

with a piece of land to cultivate. But the male offspring of a matrilineal marriage may inherit their mother's *mbee*. Strictly they cannot inherit a share of ownership or a legal right of user in perpetuity, but unless the land is very overcrowded and there is some other cause of jealousy or disagreement the rightful heirs will make no attempt to evict their sister's sons from the land she used.

WATER RIGHTS

The general principle in regard to water rights is that water is free for all. But a broad distinction is made between water which is obtainable directly without human intervention in the place Mulungu put it, and water which can only be rendered usable by human effort. Thus a river (*usi*, pl. *mbusi*), a stream (*kalusi*, pl. *tulusi*), or a spring (*nthongo*, pl. *nthongo*) is free to all. But a water-hole dug in a dry river bed is only usable by the families of the man or men who dug it. Its private character is indicated by a fence (*thansu*) erected round it to keep wild animals and other people's stock away. Other watering places entailing human labour on the paths of access may similarly be regarded as private, and irrigation furrows are only rightly used by the families of those who first constructed them or their legitimate successors.

PUBLIC LAND

What little bits of *welu* still remain are regarded as land belonging to the public. The word *welu* (the "white land") originally conveyed the meaning "open grassy plains" and subsequently "no-man's land". Where the Kamba had achieved an establishment occupation the word was used to denote "communal grazing land" and later "tribal or *utui* land not to subject exclusive rights". It is in this last sense that the Kamba use it now to denote any form of tribal or *kibalo* or *utui* public land. But it is clear that the Kamba give the word a significance which varies with the context. *Welu* (common land), where a man could demarcate an area for himself, was functionally very different from the *welu* (public land) where he could certainly do nothing of the sort.

It is generally agreed that customary market-

places are tribal public land and that sacred groves are *kibalo* or *utui* public land. A place of recreation (*kituto*) is *utui* public land, but the word is also used to denote the open space in a *musyi*, which is private land.

LAND RIGHTS ASSOCIATED WITH BEE FARMING

Honey production is an important industry of Kamba men, and there are certain recognised rights connected with it.

A man may place his beehives on his own *ng'undu* or *kisese* but not on anybody's else without express permission. But beehives can be seen in trees all over the *welu*, including bushland otherwise unused. Each of these hives is individually owned or owned by a close kinship group (as of brothers) and the tree in which it has been placed, together with the land immediately beneath and just round it, is subject to certain exclusive rights. No man of another kinship may cut the tree or encroach in any way, such as herding stock below it, which might disturb the bees, if any, which have occupied the hive. These exclusive rights are heritable in the usual manner of the Kamba patrilineal system of inheritance, limitation of the numbers sharing in a tree being a matter of agreement. Formerly the *ilumaita* of a family would inherit the hives on his mother's *mbee*, and hives belonging to his father in the near-by *welu* would be divided between the youngest sons of the various co-families, the older brothers setting up new hives in the *welu* near their new homesteads and in their new *ng'undu* and *isese*. Nowadays the eldest son of the senior wife will generally inherit hives placed out in the *welu*, though the crop of honey will be shared between the heirs. The exclusive rights in the trees and the bits of land they stand on are similarly inherited.

There may thus be said to be small patches of land (and trees) scattered throughout the *welu* which are subject to exclusive rights although the *welu* as a whole is communal. These rights appear to be much like those recognised as pertaining to *isese*, that is, they are heritable, exclusive rights of specific user which are of the same duration as the user. The rights are, however,

very jealously preserved and guarded from encroachment, and the user is naturally maintained continuously; in actual practice therefore the rights are much like those pertaining to *ng'undu* and the Kamba sometimes refer to them as such.

Where community in the *wau* is vested nowadays in an *utui* the setting up of hives in trees outside *ng'undu* and *isese*, and hitherto unused, is restricted to residents of the *utui* and is controlled by the *utui* elders.

NOTE ON THE BAHURUTSHE

Mrs. Helen McKay kindly drew my attention to a typescript in the Gubbins Library of Africana, Witwatersrand University, Johannesburg.

This document is a revision of Chapter II of "A short History of the Native Tribes in the Transvaal", published in 1905 at Pretoria by the Transvaal Government Printer.

Mrs. McKay graciously undertook to find out whether this revised chapter was ever published and so far as it known it was not. The additions of the 1905 chapter are shown in square brackets. Very little is known about the Bahurutshe and it is felt that the extra historical information contained in the revised chapter is worth publishing.

By the kind permission of the Librarian, Mr. P. Freer, this revised chapter is now presented to the public.

M. D. W. JEFFREYS.

CHAPTER II

BAHURUTSHE

Revised in October, 1922, from notes supplied by Rev. F. H. W. Jensen and the Native Commissioner, Zeerust.

The Bahurutshe were formerly described as a branch of the Barolong Tribe, but there now appears to be considerable evidence that they were not only an independent tribe, but were the oldest section of the Bechuana Race. The tradition among many different sections, Bakoena [Bakwena], Baganangoato, Bagangoaketse, Batawana (Ngami-land), Bakgatla and even Barolong, is to the effect that the Bahurutshe were the premier tribe of the Bechuana. [They are not known to have lived as a tribe on the Molopo River, where the Barolong settled after their migration from the North, but existed as an entity even before that migration.] Their first, or principal chief, was even then recognised as the highest in rank among the Bechuana as is evidenced by the fact that the following rights were acknowledged to belong to him :—

1. *Go loma thotse* or *go loma noaga*, i.e. to bite the pumkin or the year—[the chewing of leaves of a certain semi-wild melon, the *lorotse*, by the highest Bahurutshe Chief in the *Molomo* month (January) after which ceremony the Bahurutshe followed by the other tribes in strict order according to their descent from the

Bahurutshe were allowed to partake in the use of all vegetables.

2. To give permission to reap the crops in June or July.
3. To give permission for *bogoera* and *boyale*.
4. To choose from the other tribes one or more girls (*dialogaue*) out of the *boyale*.
5. To choose young bulls out of the herds of the other tribes who were not allowed to castrate the calves before the Bahurutshe Chief selected what he wanted.

It is even to-day a custom that if a dish with food is placed before a gathering of chiefs of different Bechuana tribes, it is passed to the Bahurutshe Chief first by the other chiefs.]

Like all Bechuana, the Bahurutshe derived their sustenance from agriculture, cattle breeding and hunting. They believed in a Spirit or Deity called *Modimo Thobega* said to have made himself known to them as *Moroa* (son) *Mogalaoatsela*. From time to time, and according to circumstances, they honoured different animals to which they danced (*go bina*), and which served as a badge to the respective tribes. Of these animals the Eland (*Phohu*) was first revered and spared by

them, but later on it was replaced by the *Tshoene E Kgolo*, Great Monkey.

The first division of the Bahurutshe people took place after the death of their third chief Molore I who had two sons, viz:— (1) Mohurutshe and (2) Kwene (crocodile). Mohurutshe remained chief of the main tribe, and his people were called "Bahurutshe". Kwene, the young brother, separated from his brother for some unknown cause and called his followers "Bakwena" (people of Kwene) choosing the crocodile as his badge.

Mohurutshe had two sons, Motebele and Motebeyane: his chief town at that time was near Pella on the Tholoone [Tholoan] River. Motebele, although heir to the chieftainship, feared his brother as a rival. A quarrel between them arose through a monkey which had been captured on a hunt by [Motebele] Motebeyane and which he had ordered his brother Motebeyane to guard. The monkey escaped, and after its escape, Motebeyane having been ill-treated by Motebele, left his brother with his followers, withdrew his allegiance, and settled himself on Tsoenyana, [now Engelsberg in the Marico District]. A battle between the two brothers followed in which Motebele was beaten and forced to flee to the Zulus, from whom he obtained reinforcements. With these he returned and besieged his brother; but finding the latter had fortified himself so well, he had to withdraw and finally went to the Blauwberg, Zoutpansberg, and became founder of the Malaboch Tribe. [See *Native Tribes of Transvaal*, 1905, p. 37.] The Zulus referred to are not to be mistaken for Umzilikatzie's Matabele. Motebeyane thus became chief of the Bahurutshe, and from this time the tribe honoured the Baboon (*Tshoene*) and adopted it as their badge because it had been the cause or means by which Motebeyane had obtained his independence. After the siege by Motebele, the Bahurutshe had to go to their neighbours in search of food, but later on returned to Tsoenyane.

[Motebeyane had two sons: (1) Moshokane I and (2) Melore. When the tribe returned to Tsoenyane, Moshokane I did not accompany them, but stayed behind at a place called Tigane on the Maquassi River, where he and his followers

formed a separate tribe called Bagamosoane. Melore, the second son of Motebeyane, succeeded to the chieftainship of the Bahurutshe. Eight chiefs follow in the succession, of whom nothing more than their names is known.]

Pule, the ninth chief, had two sons, who, after the death of their father, lived in discord which ended in open quarrel. The eldest, Manyane, was defeated in a tribal encounter and settled at a place called Borutoe, east of the Marico River, between Marico Station and Rondavel. Nong, the second [? eldest] son of Manyane became the founder of the Boomokhibidu in British Bechuanaland. Manyane and his eldest [?] son Seofele and their descendants lived at Borutoe until the Boers, about 1858, drove out the chief Mangope (after whom the siding "Mangope" has been named) a great and powerful ruler who then with his people trekked to Dinare on the Kolobeng River in the Bechuanaland Protectorate.

He had three sons and under them these Bahurutshe divided into three parties as follows:— The first, under Kountle, remained at Dimnoe where he was succeeded by Mosiele, the present chief of the Bahurutshe at that place; the second, under Sebogodi, established itself at Moteheli (Moiloa Reserve) (Mocoedi) Transvaal, and the third under Shuping after a short residence with the Bagamaletle at Ramunsa in the Bechuanaland Protectorate, at Lekgopung (now Vinkrivier) Transvaal. [Sebogodi was given permission to reside at Motsoedi, Rietfontein, by chief Gopane of Mapoane. He had two sons, the elder, Moiloa, died before his father and left a son Rakgaye, who is heir presumptive, but is at present about twenty years of age and not married. Sebogodi's second son, Lucas Manyane Mangope, is the present Headman in charge of this, the Boomanyane section of the Bahurutshe, and is acting as regent for his nephew. By virtue of the permission given by chief Gopane, this section is subject to the chief at Manoane.]

Shuping at Vink River was succeeded by his son Thebe, who is now chief, before the Anglo-Boer War. The farm Vink River 132 was tribally purchased before 1894, and registered in the name of the Superintendent of Native Affairs as in

trust for this section of the tribe which also owns portion of the farm Hartebeestfontein 195.] Menoe, the younger son of chief Pule, after the establishment of his rule independent of his elder brother Manyane, became a powerful and beloved chief. He was succeeded by his eldest son Thekiso, after whose death Boikanyo reigned, as his brother, Tiroe, the real heir, was not yet of age. Later on, Boikanyo refused to hand the chieftainship over to Tiroe, who then fled and sought help from the Bakwena of Bangoaketsi, by whom Boikanyo was deposed and killed. While Tiroe was with the Bahurutshe of Manyane his heir, Moiloe I, who became chief after his father, was born. Moiloe's eldest son, Dibetsoe, was a bad character and was banished by the people, and left with his followers for Thabaneng, Basutoland; while his brother, Sebogodi, became chief instead. Sebogodi was killed in an action against the Bagatin, who were, however, defeated and retreated to Bechuanaland. Menoe II, the eldest son of Sebogodi having died while still a minor, Moiloe's third son and younger brother to Sebogodi, Dinloilong succeeded to the chieftainship. It was during his reign, [about 1815], that the first white man, a certain [Koenrad Buys], whom the natives called Moro (probably from his salutation) visited the Bahurutshe. [In 1823 the Bahurutshe under Dinloilong fought a branch tribe of the Basuto (the Maphathan) who were marching through to the Zambesi and the Bahurutshe are said to have sustained their first defeat on this occasion.]

After Dinloilong's death his younger brother Mokgatlhe became chief of the tribe, as Monoe the heir presumptive had died young without children.

To strengthen his position against Motladieloe and Moiloe, the younger brothers of Monoe who were already full grown, Mokgatlhe married the girl [Tsadi] who had been betrothed to his late nephew (Menoe) in order, as he said, to beget an heir to Menoe. So Lentsoe and Gopane were eventually born. In 1824 [1832] the Bahurutshe had fled from Mosiga and now resided at Modimong, a place not far from Taung on the Harte River. [Here Mokgatlhe nominated Lentsoe as the

rightful chief. Motladieloe objected and so after a quarrel, Mokgatlhe left Motladieloe Modimong and trekked to a place called Kolosi (Bokkraal) near Ventersdorp. This was about 1845. At Kolosi, Lentsoe presuming on his chieftainship ill-treated Moiloe, who had accompanied Mokgatlhe from Modimong and another split took place. Moiloe leaving Mokgatlhe returned to the land of his forefathers, the Marico District. After having settled down at Rabogadi, near Wilgeboomspruit for a short period he received Linokana or Poee as it was then called as a dwelling place in 1850].

Lentsoe, after quarrelling with his father Mokgatlhe, went to live with the Barolong where he was soon after killed by the Boers in a cattle raid. Mokgatlhe, now very old, sent for Moiloe II, and all the Bahuruthse including Motladieloe, Moiloe's brother who then became reconciled. A missionary, Mr. Inglis, belonging to the London Missionary Society, stayed with the Bahurutshe for a short period while they were living at Wilgeboomspruit. He resided at Zendingplaats, but afterwards followed Moiloe to Linokana.

After the war of the Boer Government against Sechele in 1850 [1852] Mr. Inglis was compelled to leave the Republic [as he had taken part against the Boers in an article he had published in the papers. The Bahurutshe were without a missionary for seven years till the Hermannsburg Mission was established at Linokana in 1859.] Moiloe who had become a great ally of the Boers died on the 6th July 1875, much lamented by Blacks and Whites. His son Sebogodi succeeded him but his reign was troubled by war with Gopane, the brother of Lentsoe, and before the question of succession would be settled, Sebogodi died on the 9th July, 1877. After his death the British Government recognised his son Ikalafeng as chief; while Gopane received Maduoduo for his location.

In 1882 the Bahurutshe, who had helped the Barolong of Montshioa against their enemy, found it necessary to fortify their strongholds. The Boers ordered these fortifications to be broken down, but Ikalafeng refused to do this. The Boers then appeared in force and the Bahurutshe finding themselves too weak to fight, made an

agreement by which they forfeited all their stock. Ikalafeng died on 24th June, 1893. After his death Pogisho or Abraham, the second son, became the heir to the chieftainship, while still a minor, the eldest son having died.

During his minority his uncle Keobusitse (Israel) acted as regent. [Pogisho himself died on the 17th October, 1918. His heir, still a minor, is Abraham Grant and Alfred Ramokhutsoane, his uncle, a son of Ikalafeng, is at present acting as regent.

Gopane, died in 1904 at Maanoano, has been succeeded by his son Jairus.] The Bahurutshe are thus represented in the Transvaal by the following main chiefs with their respective followings:—

- [A. Lakas Manyane at Motsoedi (Rietfontein).
- B. Thebe Shuping at Lēkgophung (Vink Rivier).
- C. Abraham Grant Moiloa at Linokana (Alfred Ramokgutsoana Moiloa as Regent).
- D. Jairus Gopane at Maannoane.

The Boomanyane, represented by the first two, are higher in rank than the Bahurutshe of Linokana and Gopane. The Head Chief of that section—Mosielele Mongope, son of Kountle still resides at Kilobeng, Bechuanaland Protectorate, and is the 'Molomathotse' of old.] Besides these tribes, there are many strains to be found among various other races or tribes, but these are hardly of any importance, most of them having intermixed with the tribes to which they have submitted.

A LIVINGSTONE LETTER

In Gubbin's Collection of MSS.

Mrs. H. McKay very kindly drew my attention to a manuscript found among some papers in the Gubbin's Library of the University of the Witwatersrand. This manuscript is a copy of a letter from Dr. Livingstone to the Rev. Ad. Mabile of the French Mission in Basutoland. The copy was made by the Rev. Mabile's daughter, Mrs. J. Henry Dyke and given to Mrs. Gray, the wife of the Rev. Gray, who passed on the copy to the Gubbin's Library, University of the Witwatersrand. Where this original letter now is cannot be ascertained, nor, so far as I am aware, has this original letter ever been published. Such parts of this letter as are of anthropological interest are reproduced herewith.

M. D. W. JEFFREYS.

"Motito 24th Feb. 1843.

I heard Mr. Moffat say in England that the Bechuana had really no conscience until it was formed by the missionaries. Now although the statement excited my visible faculties a little at the time, thinking it was only a poetical figure expressive of the wonderful creative powers of us *sentelings* (?) the same statement newly appearing in his book as I understand, inclines me now to believe that it was meant as plain prose. What do you say as to their belief? I mean of the Bechuana in relation to God, futurity etc. Besides other fragments of knowledge which I have found among them, they seem to have had the idea of the future existence clearly. For instance what else than this idea can we deduce from the fable of the cameleon and dark lizard. I heard a Mochuana in an address, reason thus :—

"Is it not a fact that we Bechuana of old believed that we should not perish entirely at death? I don't speak of the knowledge the

white man has brought. I speak of the knowledge we had of old. God sent the cameleon with a message to man saying: 'You must not do wickedly, you must reform, for when you die you will come again, you will not *nydlela hela*'. But the Black Lizard (Katoane) was sent by the devil (Barimo) and as it runs fast it soon preceded the cameleon and said to man: 'You may live as you like, there is no God, and when you die you are gone forever. Another messenger is coming and he will tell you lies. He will say you will be judged for your deeds but don't believe him.' So spake the Katoane."

Now this Mochuana after appealing to his audience if this were not real Bechuana belief of old, turned to Mr. Edward and myself and said :—"These men are the camelcons. The devil's messenger came before them and has destroyed both us and our Fathers. But now I beseech you listen to the message of the cameleon and live." The same individual referred also in his address to the Bechuana idea of the soul and reasoned with his countrymen most powerfully, arguing that our doctrine was not new even to the people he was addressing.

I was very pleased the other day to hear from Mr. Lemue [Fr. Missionary] that the word he made use of to express "soul" is the same as the Sesuto, namely *moruti* or shade, not "*mola*" the breath which has been adopted by the missionaries. He went so far as to describe the food of souls in the other world, namely common flies dried in the same way as is usually done to the locusts. I have since found that these and other points were really the common beliefs of old. If you can give me any information respecting their ancient creed I shall feel obliged."

(Copied from a letter from Dr. Livingstone to the Rev. Ad. Mabile, [missionary among the Basutos].)

BRIDEWEALTH AMONG THE NUER

E. E. EVANS-PRITCHARD

In some recent articles I have described the Nuer custom of paying cattle at marriage, their marriage ceremonies, and their rules of exogamy.¹ Having recorded the chief facts relevant to a study of Nuer marriage it is permissible to make some general comments on the part played in the union by payment of bridewealth.²

It is no longer necessary to show that the African payment of bridewealth is not a purchase. Until very recent years the Nuer had no currency and nothing corresponding to what we mean by 'price' and 'purchase'. The word *kok*, now used to denote the act of purchasing something from an Arab merchant with money had a religious and sacrificial meaning. It cannot be used to refer to transference of bridewealth. I have heard the word *luil* used in this connection, but only with circumspection or in anger, for it is disrespectful to use it about marriage. It denotes a simple exchange of goods, as when a man who is leaving his neighbourhood exchanges his byre for a bull calf or when a man exchanges an ox with certain markings for one with his favourite distribution of colours. The word is only used correctly in reference to conjugal relations when a female Dinka captive is, as I was told occasionally used to happen, exchanged for a few cows. It is then said of her that "she was not married (*kwen*) with cattle but exchanged (*luil*) for cattle".

The word *kwen* means the whole procedure by which a man and his kin obtain a wife by payment of cattle and her family and kin hand her over to bear children to them, and in other ways serve them, in return for these cattle. The

man marries the woman and not the woman the man: one can say "Duob has married Nyaluak" or "Nyaluak has been married by Duob", but one cannot say that Nyaluak has married Duob. It is understood that the woman was *kwen ka ghok*, married with cattle, for she would have been married in no other way. The persons among whom the cattle are distributed are also said to *kwen* them (*be gwanlen yang kene doude kwen*, the paternal uncle will receive a cow and a calf) and they are said to be *kwen* by the cattle (*baa deman kwen e thak*, the uterine brother will be paid an ox). There is no noun in Nuer by which the cattle handed over at marriage can be described, though one can use the expression *ghok kwın nyal*, the cattle of marrying a girl.

But to say that bridewealth is not price or purchase does not mean that the objects handed over have no significance to Nuer outside the particular purpose they serve in bringing about a union. Cattle have, as I have shown in my book on the Nuer,³ many uses. They are one of the main sources of food and they supply many other domestic requirements, they have a prestige value, and they have a religious importance. The payment or receipt of bridewealth changes a man's fortune in a very material way. The bridegroom's family are often impoverished, sometimes to the point of privation, though their kinsmen and affines will help them if they reach this point; while in the bride's home the milk gourds and butter gourds are full. A man who receives only one cow of the bridewealth has in it the promise of a herd.

It is for this reason that Nuer found it difficult to understand what I meant when I told them that in my society we marry without paying bride-wealth: "It does not matter. After all, every country has its own customs. But is it right that the father and mother of your wife should go

¹ "Nuer Bridewealth", *Africa*, 1946; "Nuer Marriage Ceremonies", *Idem*, 1947; "Nuer Rules of Exogamy and Incest", *Social Structure* (to appear soon).

² Some of the points made were discussed in a very general way in my paper "Social Character of Bridewealth with special Reference to the Azande", *Man*, 1934, (194).

³ *The Nuer*, 1940, Chap. 1.

empty-handed when you marry, or is it better that they should be full, that the father should be full and the mother should be full?" Of the neighbouring Anuak people, who marry with beads and spears, they say: "Of what use are these things? Can people live on them?" In making their demands on the bridegroom's people the bride's people try to obtain above all lactating cows and their calves or pregnant heifers so that they may enjoy immediate benefit from the transaction. A *pie* cow, one which gives little milk, will not, however, be rejected so long as it bears calves.

Nevertheless Nuer show greater interest in the bridewealth character of cattle than in their nutritive character. It is not so much that having great nutritive value they acquire through it a general social value, become a standard of value, and are therefore employed in ritual, for indemnification of injury, and as the means of acquiring a mate. It is rather that their use as bridewealth gives them their supreme value in Nuer eyes. Cattle stand for a wife and are therefore the most important thing in a Nuer's life because a wife means to him his own home and that he becomes a copula in the lineage by fathering a son. Nuer do not grudge the loss of a herd to obtain a wife. They lose cattle, but the wife will bear them daughters at whose marriages the cattle will return, and sons who will herd them.

It is therefore a commonsense inference that payment of bridewealth has a stabilising action in marriage. If the wife leaves her husband the cattle will have to be returned and as it would be always unpleasant, and often difficult, to return them it is supposed that the wife's family will use their influence to make her remain with her husband. There is some truth in this supposition, for Nuer know only too well the confusion, and consequent resentment, that may result from the dissolution of a marriage: "But with us Nuer, if a wife leaves her husband what will his kinsmen do? For they have given some of the cattle to her paternal uncles, some to her maternal uncles, some to her paternal aunt, and some to her maternal aunt. A wife should be obedient to her husband, for she has been married with cattle."

One of the earliest British officers in Nuerland wrote that "the system of marriage among the Nuer is the cause of nearly all their quarrels and troubles".¹ Everyone concerned with the marriage stands to lose by its dissolution and they will try to prevent divorce.

Nevertheless, it can only be accepted that payment of bridewealth stabilizes marriage to a very limited degree. That this is so can best be understood by considering the question in relation to what happens at divorce.

The marriage tie is severed (*dak*) by the return of the bridewealth because either the wife has died childless or her husband's people give up their rights in her. In either case, if there are no children, all the cattle have to be returned (except the *yang miemde* and the *yang yani*, the cow (ox) of the hair and the cow of the skirt² unless they have died a natural death in the homesteads of the recipients. If the wife dies after bearing a single living child the usual procedure is for the extra-family kinsmen to return their portions of the bridewealth and for the family of the wife to retain their portions, the child remaining with his father. In this case one cannot speak of divorce. The wife and mother has become a ghost. If the wife leaves her husband after the birth of their first-born his kin may decide to claim the return of their bridewealth except for six head of cattle which the husband leaves with his wife's people to retain his rights in the child (*ruok*). These six beasts, including the two of the hair and the skirt, are kept by the family of the wife. The extra-family kinsmen lose their portions of the bridewealth. The wife by this procedure is divorced and can remarry. On the other hand they may leave all their cattle with the wife's family

¹ Bimbashi H. Gordon, *Sudan Intelligence Reports*, June, 1913, No. 107.

² According to my own information these two animals are retained by the bride's parents should the marriage be broken up after the consummation ceremony and are regarded in some part as payment for loss of the bride's maidenhood at the consummation and in some part as compensation for the expenses of the nuptial ceremonies. Mr. Jackson (*Sudan Notes and Records*, vol. VI, 1923, p. 155) says that they are left with the parents only if the husband is responsible for the dissolution of the marriage. Mr. P. P. Howell tells me that he is of the same opinion as Mr. Jackson.

and kin and maintain thereby their rights in any children she may 'bear in the bush' (*dieth dor*), that is by lovers. She is then not divorced, but is only separated from her husband, and she cannot remarry.

If a wife dies after having borne two children no cattle are returned, it being held that "Cattle which have children on their backs cannot be returned".¹ Should a wife leave her husband after having borne two children the cattle will remain with her kinsmen and any children she may bear by other men will be claimed by her husband's people. She is still married to him though she lives as concubine to another man. The husband's people are said to be generally content with this arrangement but, whether content or not, it would be useless for them to reclaim their cattle and the progeny of these cattle and deduct the total cattle to legitimize each child. The wife's people would say to them: "You have your children. You keep them and we will keep the cattle. Let your wife bear you children in the bush."

The rules stated above are principles which are flexibly applied in actual cases according to the circumstances of each case. Much depends on the personal relations between the husband's people and the wife's people. If they are bad and his wife has left him at their instigation the husband will claim back everything to which he has a right: cattle,² sheep, goats, spears, tobacco, millet, and ornaments, including his wife's *yoah* or bead-decorated skirt. But if they are good and she has left her husband against her parents' wishes he will not ask for the return of the smaller gifts and the *puoth manthude*, the little gifts with which he honoured his mother-in-law, and if she dies childless he may also leave some of the cattle to which he has a right

with her parents in the hope that they will later give him her sister in her place. If he leaves any of the cattle preference will be given to the portions of the spirits and the ghosts. When these have to be returned ashes are rubbed on their backs and the spirits and ghosts are told of the divorce and are promised that they will one day be given cows in the place of those they are losing.

Another circumstance which is taken into consideration is whether the wife is being sent away by her husband for barrenness,³ or bad habits, which is rare, or whether she is leaving him without his consent and, in this case, whether she has adequate grounds for refusing to live with him such as neglect or cruelty. Whatever the circumstances are the husband has a right either to his cattle or to the children his wife may bear to other men, but it sometimes happens that whereas he wants his cattle back to marry again, since he cannot have a home without a wife, the wife's people tell him that he is responsible for the separation and must be satisfied with the children. They would not refuse him his children. If they tell him this, and they would not do so unless she had already borne him a child and had lived in his home, he has to accept their decision. There are no courts he can appeal to and his kinsmen would be unwilling to support him in resort to force. There is nothing he can do. If his wife has gone back to her parents and they do not want to return his cattle they tell him to come and fetch her. But if she is miserable with him she will only run away again and this time to some distant part of the country. If he complains to her parents they will say that it is no affair of theirs. Let him go and get his wife. In the end he will give her up and claim any children she may bear to lovers. There is always a chance that she will come back to him when he takes charge of her sons. I have never known a case in which a wife's parents have kept her husband's cattle and at the same time tried to marry their daughter to another man, and when I asked what would happen were they to try to do so I was told that the husband's

¹ I did not record a case of a wife dying after all of her several children had predeceased her in infancy, and Nuer merely told me, in reply to my queries about rights to the cattle should this happen, that it was most unlikely to happen. Whether the cattle or how many of them would be returned would probably depend on the age at which the children had died.

² When possible the identical cattle are returned but if they are dead or it is difficult to recover them after dispersal others may be substituted for them and if they are of the same quality as those paid by the husband's kin they must accept them.

³ As a rule a husband will not divorce a barren wife. He will take back most of his cattle but will leave a few with her parents in recognition of her place in his home as mate and housewife.

kin would undoubtedly use violence to get back their cattle and, in addition, curse (*biit*) the wife so that she would either become barren or her children die. On the other hand it sometimes happens that the wife's people promise to return the cattle as soon as they are able to do so but fail to return them all though procrastination on one pretext or another or prevarication, for they may hide (*piek*) some of their cows in the herds of kinsmen in distant districts. If the husband and his wife's father are members of the same local community difficulties of this kind are not likely to arise and can be settled by discussion and compromise. If they belong to different sections of the same tribe, and even more if they belong to different tribes, the dispute, as is the case with all issues of indemnity, is not so easily settled.

We may now consider in the light of these facts to what extent bridewealth may be said to stabilize marriage. Most broken marriages occur during or shortly after the nuptial ceremonies. One cannot properly speak of divorce at this stage because in Nuer eyes marriage is incomplete till a child has been born, the wife till this event living in her parents' home, being visited by her husband at nights from time to time. That till the birth of a child the wife is considered to belong to her own kin and not to her husband's kin is shown not only in her residence but in other ways, most noticeably by the fact that the husband is held responsible for her death should she die in her first childbirth. He then has to pay compensation for homicide (*thung yika*). During this period when the union is looked upon as still only partly formed, the family and kinsmen of the wife do not, if they are wise, disperse the cattle. Were they to use them for a further marriage they would run the risk that this second marriage might have to be dissolved should the first be broken. Moreover they would find the kinsmen of any girl whom they might wish to marry most unwilling to accept cattle so insecurely held. I have found, when discussing cows in Nuer kraals, that they do not regard those animals they have received on the marriage of a kinswoman as fully theirs, in the sense that they can do what they like with them, till the kinswoman has borne

a child. At this stage, therefore, there is no great difficulty about returning the cattle, which are, indeed, kept ready at hand to be returned. Also, it must be remembered that the husband is unlikely to have paid all the bridewealth before a child is born.

I cannot give statistics, but on the basis of my observations and of my discussions with Nuer on the subject I would say that when marriage has been brought about through the normal discussions, payments, and ceremonies, divorce after the wife has brought her first child to her husband's home and has lived with him for a year or two is very unusual. Should it take place the wife's family, who alone can bring much pressure to bear on her, do not, with regard to the reduced payments of bridewealth of the present day, stand to lose much, for they will retain six head of cattle. It is the extra-family kinsmen, who have less influence over the wife, who lose all their cattle.

I have never known, or heard of a case of divorce, or even of separation, after the birth of a second child. My own observation are very limited but they are supported by the opinion of Nuer that when man and wife have lived together for several years and have children the wife will not leave her husband's home while he is alive. After the birth of his second child a husband ceases to keep track of the progeny of his cattle.

It should be noted that it may happen today that all the cattle in the kraal of the wife's father die of rinderpest shortly after the consummation of the marriage. It is then not incumbent on the husband to replace them, or for his father-in-law to return others in their stead if the wife dies or leaves her husband. The wife's people need only replace them if they have transferred them to third parties (*loth*) or butchered them. To protect himself against possible claims in the future the father of a newly married daughter will often send to her husband's people the hides of any beasts which have died a natural death in his kraal. The father-in-law could not in these circumstances break off the marriage and remarry his daughter to another man for the cattle, though dead, are still "on the wife's back". When I

asked what would happen were he to try to do so I was told that the husband's kin would claim back their cattle and, if necessary, use force to obtain them. Should a wife leave her husband in these circumstances the problem of bride-wealth would probably be solved by the common Nuer expedient of letting her live as a concubine.

I think it is evident, in view of the facts stated above, that the fear of having to repay bride-wealth cannot be said to be a very powerful sanction of the marriage union. Nor is there any evidence of which I am aware that would suggest that the greater the number of cattle handed over the more stable the marriage is likely to prove. On the contrary the poverty of a suitor may be to his advantage since the parents of the girl whom he seeks in marriage can insist, and often do so, that he comes to live in their village, where they will receive constant aid from him in hoeing, fishing, building, and herding, and the accretion to their lineage of both the son-in-law who comes in course of time to identify his interests with those of his in-laws, and of his children, who would otherwise, with their daughter, be lost to them. A reputation for hard work, courage, and an amiable character go a long way towards making up for poverty of stock, especially if the father of the girl and the father of the youth are friends or the youth and the girls' brother are comrades.

I am prepared to say definitely that the stability of Nuer marriage rests on quite other foundations than payments of bride-wealth. It is founded on affection between the spouses, mutual goodwill between the families of husband and wife, and moral and legal norms. Nuer girls are not easily coerced into marriage and it is generally safe to assume that when a woman lives with her husband it is because she chooses to do so and is happy in her marriage. By the time a girl is fully married to a man she knows him well. Usually he has courted her some time before asking for her hand and she must give her consent before his request is granted. She has plenty of time between the betrothal ceremony and the ceremony of consummation in which to withdraw from the marriage should she be reluctant to

complete it and yet more time between the consummation and the birth of a child. I do not say that pressure may not be put on her by her family to accept her husband but parents who try to coerce their daughter run the risk that she will run away to the home of a distant kinsman and there elope with some man. They may lose their bride-wealth. Nuer have good grounds for their assumption that a newly wed who has borne her husband a child and brought it to his hearth is satisfied with her mate. By the time a second child is born experience has shown that the pair are agreeable to one another also as domestic partners. As the Nuer observe a weaning taboo this means about three years after the birth of the first child.

Mutual goodwill between the families is also a necessary condition of a successful marriage. Marriage is not only a conjugal relationship but also a set of affinal relations and it can be stable only if the kin on both sides behave towards the other side in the manner expected of them. This they endeavour to do. A man tries not only to live up to the pattern of what the Nuer regard as a good husband but also to be a good son-in-law and his wife's father and mother try to be good parents-in-law to him. The relatives on both sides also try to behave towards those on the other side as persons standing in these relationships should do. It is the evocative and inhibitory action of these moral values, sanctioned by approbation and censure, which give stability to marriage and security to the family that derives from it. Divorce is due to failure of one or other of the parties to live up to the code of conduct expected of him, or her, and Nuer regard it as a misfortune in which there is also an element of the shameful.

Conjugal and affinal relations are personal relationships which require adult adjustment that is not easy. A Nuer regulates his behaviour to the persons around him through kinship values of one kind or another. Owing to the extensive range of kinship ties covered by Nuer rules of exogamy it is impossible for a man to marry into a family or lineage with whom he has already existing kinship ties. He must marry the daughter of people who are under no obligation to provide

him with a wife, or, indeed, to assist him in any way in a society which recognizes no strong personal obligations other than those of kinship. In those simple societies in which there is preferential mating, a man marries in virtue of already existing kinship ties, into his kindred. Since among the Nuer these same ties constitute a bar to marriage a man must marry outside the circle of kin and must forge new social links which by their nature cannot at their inception be of a kinship order. Nuer bridewealth payments are thus complementary to their rules of exogamy.

Eventually affinal ties are, by slow degrees, transformed, as the Nuer themselves say, into kinship ties. The birth of a child gives the wife kinship with her husband's people and the husband kinship with his wife's people. As the Nuer say, *ruaa*, in-law relationship, becomes *mar*, kinship. Bridewealth payments are a technique for creating new social relations between persons between whom there are no well-defined patterns of behaviour and for maintaining them. They are one of the many ways in which gifts and payments are used for this purpose, and have this function, in primitive societies. Bridewealth may thus be thought of as providing a kind of social scaffolding, a temporary structure of behaviour patterns, which enables the union to be built up. It ceases to be of any great significance once the new family is firmly established after the birth of the second child.

The payments do not so much give stability to the union of marriage as they are a recognition of its stability. The parents do not accept a suitor unless they are satisfied that he has the qualities of a good husband and I have shown in an earlier paper on Nuer marriage ceremonies how the marriage is slowly formed through a series of ceremonies and rites, each marking a stage in the transference of the wife from her own people to her husband's people. Each rite is an acknowledgement that the marriage is a little more stable and complete and compels further payments, which are both an expression on the part of the husband's people of a sense of security and the means of bringing about the next rite and through it greater security. When the bride's

people consent to hold the next ceremony they express by so doing their confidence in the final outcome. Marriage is not a single act. It is a succession of interconnected acts leading from courtship to the birth of children, and bridewealth is not a single payment but a succession of payments in response to the changing status of the wife and the increasing maturity of the union. As the Nuer see it, these payments continue long after the marriage is fully established and there is no question of repayment, whatever may happen, in the birth of calves and the progeny of these calves and of their progeny, a constant redocumentation which is balanced by the birth of children to the wife and of children to these children.

Bridewealth has so far been viewed as a social mechanism for organizing personal relations between the husband and his people on one side and the wife and her people on the other side. Some such organization is necessary because, given the Nuer rules of exogamy, there are no already existing patterns of behaviour within which the marriage can be effected. The rules of exogamy are themselves a function of the lineage structure of the Nuer and bridewealth has therefore also a structural role.

When a woman is married among the Nuer she is transferred from one lineage to another. The husband alone has sex rights in her, but all his brothers and paternal cousins have residual sex rights and actual or potential domestic rights in her, and her children are born to his lineage. The husband's sex rights are evident in his right to claim damages for adultery. The proof of marriage, should proof be needed, in an adultery charge, and what therefore distinguishes a wife from a concubine, is that the woman "has cattle on her back". This does not mean that it is payment of cattle alone which brings about the union. It is the rites of marriage which do that, for a man has no claim to compensation for adultery until the rites have reached a certain stage, even though he has paid cattle before that stage is reached. But the cattle are the certificate of marriage. The rights of the husband and any of his kin living with him to the domestic services of his wife are evident in the performing of them

and in the public acknowledgement of his right to correct her should she neglect them. The husband has, of course, also rights in any children his wife may bear, but the children are not only his. They are the children of his lineage. All the men of his lineage are grandfathers, fathers, and brothers to his sons.

Marriage is, structurally-speaking, the taking away of a woman of one lineage to bear children to a different and unrelated lineage. For the loss to their daughter the lineage receives cattle which enable them to obtain a wife for themselves from a third lineage.¹ In course of time the wives of these marriages bear daughters and when they are married the cattle received for them enter the kraals of the lineage to replace those which left them on the marriages of their mothers. In practice the total operation is not as simple as I have stated it because the cattle do not all go to one lineage but are partly distributed between the kinsmen of the bride's father and mother, but this is corrected by the fact that what the fathers and paternal uncles do not receive on the marriage of their daughter comes to them through other marriages in which they stand to the bride as maternal uncles or sons of paternal or maternal aunts or grandmothers. Hence it is that the Nuer often speak of the lineage marrying a wife with its cattle or giving their daughter in marriage to another lineage for cattle. They say, for example, that "*Cieng* Pual have married a wife" or that "*Cieng* Dumien have given their daughter in marriage".

To understand the functions of bridewealth in Nuer society it is therefore necessary to view its payment in a wider social setting than is provided by any particular marriage. It is necessary to see it, as the Nuer themselves do, as a series of transactions and to perceive furthermore in an exchange of cattle for a wife an exchange

of a daughter for a wife. Payment of bridewealth is a particular, and very striking, example of the principle of equivalence. A parallel example is the payment of cattle in compensation for homicide,² which among the Nuer is 40 head of cattle, the same number as is paid for a bride. These bloodwealth cattle are divided among the kinsmen of the dead man on the same plan of distribution as that obtaining in the distribution of bridewealth, though about half are reserved for marrying a wife to the name of the dead man to bear him a son. Just as in bridewealth the principle is the replacement of a daughter by a wife, of a woman by a woman, so in bloodwealth the principle is the replacement of a son by a wife who will bear a son in his place, of a man by a man. It is worthy of note that the rate of bloodwealth has fallen in recent times to about the same level as the rate of bridewealth.³ Nuer are aware of the equivalence of bridewealth and bloodwealth, for I have heard them complain that the government was attempting to fix bloodwealth without fixing bridewealth at the same rate, whereas what the one is the other should be.

To see the Nuer custom of bridewealth in its structural perspective we must therefore think in terms of lineages. Children are attached by payment of bridewealth to the lineage of their father, the attachment of the sons being of chief importance, though daughters may also be structurally significant in the lineage system. Children born in the union of marriage are "children of the cattle" and therefore of the man in whose name they were paid and they become joints in his branch of descent. The man in whose name the cattle were paid is always their *pater*, the sociological or lineage father, of the children, whether he is their *genitor* or not. If he dies, or is already dead before his marriage, the widow should be taken by one of her husbands and the fathers of his sons, that is to say by one of his brothers (or sons). But even

¹ Cattle which have left a lineage on its taking a wife from another lineage may come back to it if the second-lineage afterwards takes a wife from the first. This is unusual, but I have known a man marry his father's brother's daughter's husband's brother's daughter and another marry his paternal half-brother's daughter's husband's sister. Some slight adjustments may be made in the division of the bridewealth of the second marriage to prevent certain inconsistencies. However, a brother and a sister should not marry respectively a sister and her brother.

² This point is very clearly made by Prof. A. R. Radcliffe-Brown in *Man*, 1929 (96).

³ Approximately 10 beasts are divided among the extra-family kinsmen and the rest, including the beasts due to the family of the dead man, are with contributions of cattle from his paternal and maternal kinsmen used to marry him a wife.

should a woman whose husband has died decline to cohabit with one of his paternal kin and prefer to live as a concubine with some man unrelated to her dead husband any children she may bear are his children. Every child must have a *pater* or, which is saying the same thing among the Nuer, belong to a lineage, and if an unmarried woman has a child it is either paternalized by subsequent payment of bridewealth or by payment of a paternalization fee. If the *genitor*, which is unlikely, refuses to pay either bridewealth or fee, the man who later marries her with cattle becomes the *pater*. If she is not married then a man who takes her as a concubine pays the fee and becomes the *pater*.

The distribution of bridewealth is a different process to the payment itself and, since it belongs more to an account of kinship in general, is not discussed here. The mode of distribution and some comments on it are contained in my paper on "Nuer Bridewealth". In this paper I wish only to draw attention to two features of bridewealth which seem to me to be very important: its role in creating new social ties of a personal kind and of regulating the interrelations of the persons concerned till such time as their relationships become assimilated to kinship patterns—broadly-speaking its role in the kinship system—and its structural role in inter-lineage relations.

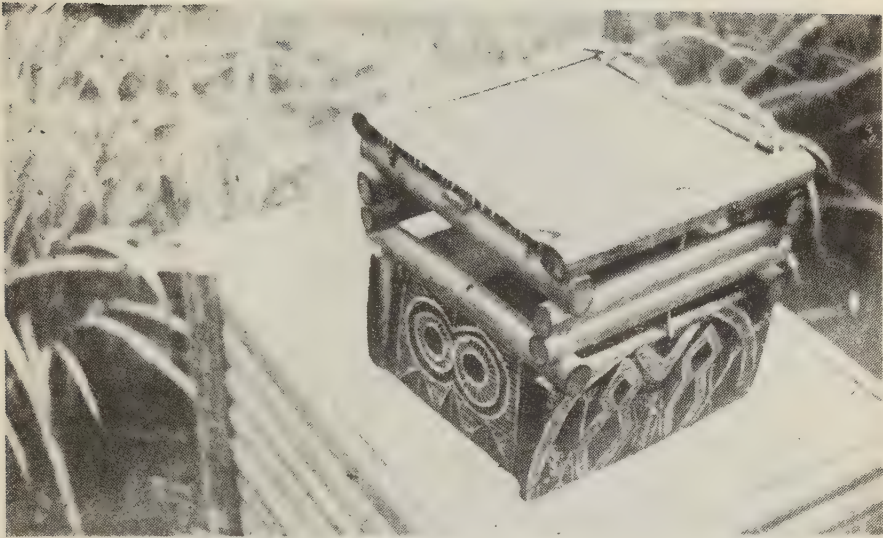


FIG. I

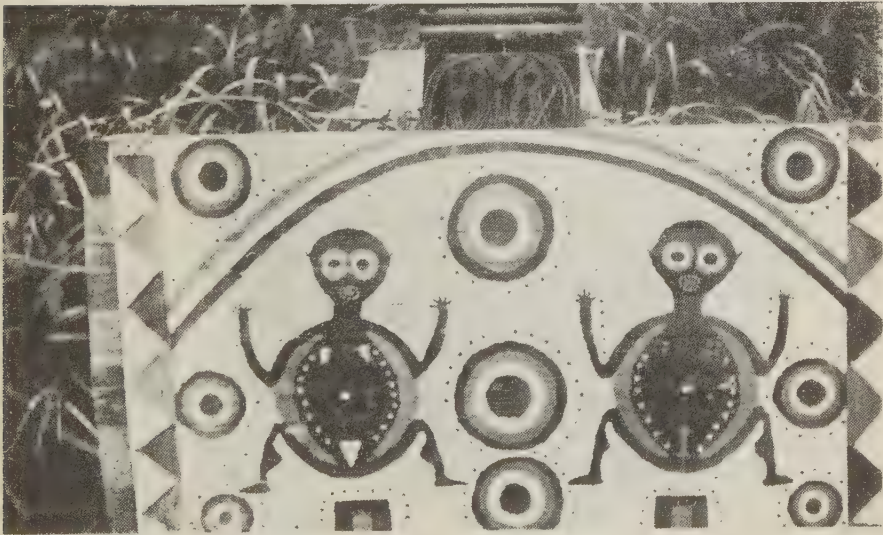


FIG. II

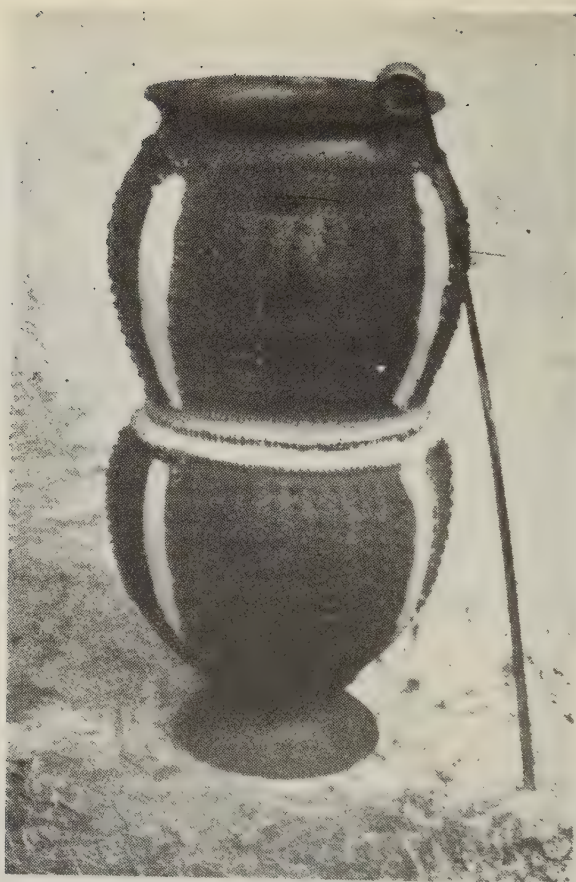


FIG. III

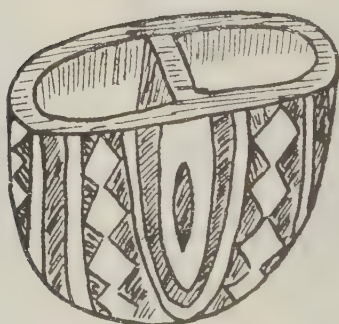


FIG. IV



FIG. V



FIG. VI

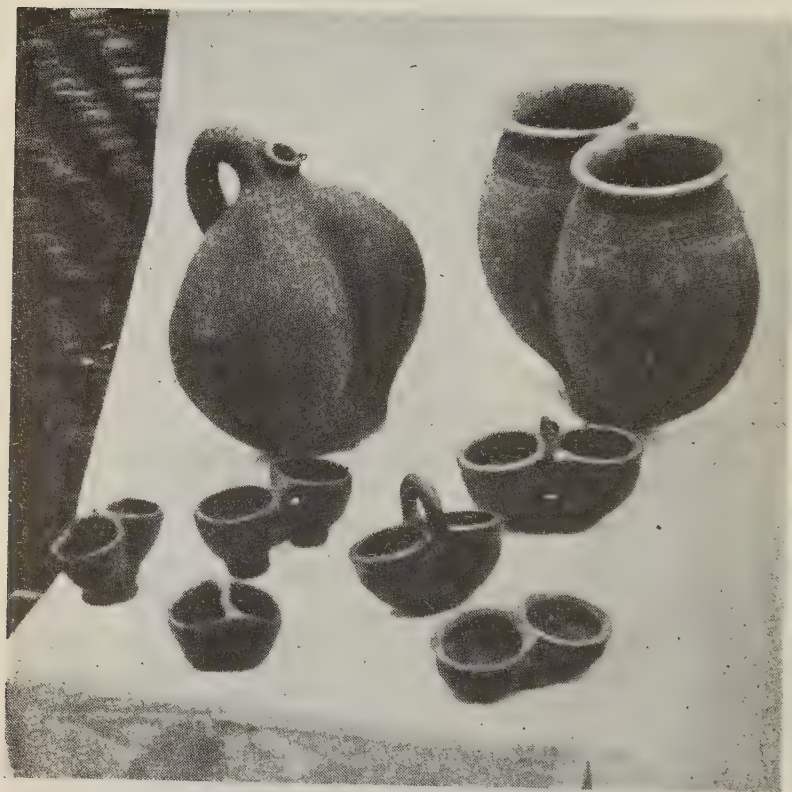


FIG. VII

NOTES ON TWINS : BAMENDA

M. D. W. JEFFREYS

These notes on twins refer mostly to the Bamenda Division of the British Cameroons, a mandated territory. Notes from the Mamfe Division on the West and from the Bamum people in the French Cameroons on the East, are included as well as from the Mambilla to the North. Some of these notes are my own, others are extracts from official Reports written by brother officers.

That these notes are meagre and skimmed I am well aware, and some explanation for this dearth of material is necessary. The Bamenda Division is the size of Wales, approximately seven thousand square miles in extent, but whereas Mt. Snowden in Carnarvon is only 3,571 feet high, many of the mountain ranges in Bamenda are over 8,000. Thus, once I did a cross-country journey from a place called Ndu, 85 miles by road north of Bamenda Government Station to this very station. Ndu is 6,000 and Bamenda 4,000 feet, above sea level, a difference between the two points of 2,000 feet.

I took an aneroid with me and jotted down in a notebook all the "risings" and all the "downings". The journey took me five days and in that time my "risings" totalled 17,000 feet and my "downings" 15,000.

The rainfall averages 100 inches a year. There were at that time only 200 miles of road and most of one's travelling was by horse on native foot-paths.

There are some 300,000 Natives and over 150,000 head of cattle. The number of Administrative officers never averaged three for a whole year and one of them had always to be in headquarters. During the war years the extra work of recruiting Natives for the army, of directing drives for the increased production of rubber, palm oil, and palm kernels; extra reports on economic situations as well as shouldering the whole of the judicial work of the province, left

but few moments in an Administrator's life for anthropological work.

However, as no information is available about these areas it is felt that "Half a loaf is better than no bread" and on these grounds these notes are presented.

The Nigerian Government has kindly granted permission to include extracts from reports made by brother officers and for this permission I tender my sincere thanks.

Mambilla

Among the Mambilla people, around the American Baptist Mission at Warwar, in the south of the mandated territory of Adamawa, twins are welcomed. Of gifts presented to newly married couples are square-faced stools with special twin designs; also pictures with twins and twin symbolism. The pictures are painted on planks of wood and are then hung up in the hut. The Rev. Mr. Dunger, of the above mission saw some of these items at Mbamga. As this place lay outside my administrative sphere I could not visit it and so he kindly arranged for Miss Laura Redding of the same mission to take for me the photographs reproduced here as Figs. I and II.

Fig. I shows the square stool with designs, characteristic for twins, painted on the sides. The circles on one side represent the sun and moon; on the other side are conventional representations of twins beneath the arch of the rainbow. Fig. II is one of these pictures painted on a plank, showing male and female twins under a rainbow with suns and moons surrounded by haloes. The bodies of the twins are drawn influenced by the sun-halo motif, thus indicating their celestial connections. Among some tribes the presence of a halo is said to presage the birth of twins.

Oku

Amongst the Oku, a branch of the Tikar, twins are regarded as lucky and are called *wun minyen*, or the children of God. They have stereotyped names, thus :—

Che. (m.)	Fie. (f.)	Che. (m.)
Chindu.(m.)	Böjenje. (f.)	Fie. (f.)

Mfumte

This tribe consists of a number of independent villages, many of them not related to each other, living in the narrow valley of the upper reaches of the Donga river and its tributaries. In these wooded, precipitous valleys live the remnants of tribes raided into slavery by the Fulani.

The following notes apply to the town of Lus and were garnered during a short stop for lunch while passing through this place to Kwaja, the village of the blacksmiths. A halo round the sun portends the birth of twins, but unlike the Mambilla tribes to the north of them, the people of Lus do not draw designs for twins, showing a halo or rainbow. It was here that I saw my first double-bellied water-pot that is specially made for twins, Fig. III. Here two water-pots, are fashioned, the one above the other to act as one water-pot. Twins among these people are welcomed and have stereotyped names thus :—

Böfe. (m.)	Fenda. (f.)	Ngwefe. (m.)
Ngwefe.(m.)	Ngwife. (f.)	Ngwife. (m.)

The house where twins are born is fenced off to protect its inmates from the outside world. A special amulet of four feathers which have been doctored and tied to a bit of twine, is hung as necklace round the necks of twins.

The medicine man in charge of twin ceremonies here has a wooden bowl called *ngafe*. It was carved from a single bit of wood and was divided into two compartments which communicated by an aperture at the bottom. Fig. IV.

When performing a propitiatory ceremony for the birth of twins he filled this bowl with palm wine and gave it in turn to the twins to drink from. He alone may handle the bowl. In addition he had a bundle of twigs which he said was a

tally of the number of leaves to be placed upon a mat during the ceremony. There were sixty-eight twigs.

The village is a small one I was informed that adult twin females were reported as living and married in the village but I did not see them as they were then away on their farms.

Mbem

At this town is a centre of the American Baptist Mission and the following notes were supplied by Miss Laura Redding. "The birth of twins is regarded as a gift of God hence the need for a ceremonial dance to commemorate the event. The parents of these twins were both Christians. The ceremony opened by a war dance at the chief's compound thereafter the procession moved off to the mission to celebrate the event there.

Special pottery pots, are made for holding the palm oil used in the anointing of twins. On this occasion both infants were males. The first born died, the second lived."

Mbem is noted for its pottery which is here in the hands of male potters. Passing through Mbem one day I stopped for a few moments at Tukuvu's place. Himself a twin he specialises in making pots for twins and the following photographs of his art are shown herewith. Figs. V and VI show two types of water-pot for twins, while Fig. VII shows these same two pots with the smaller pots to hold the palm oil for anointing twins.*

Wum

"Twins are regarded as a great blessing. Two weeks after their birth a dance called Wanga is held which is attended by all the relations of the father and mother and a large number of their

* Similar pots for the use of twins are found in Dahomey. "The deity held in the next degree of reverence is Hoho, the preserver of twins. Its pottery is known as Hozen, and consists of two little earthen bowls like tea-cups or paint-pots, united by a short bar of red clay and covered with round lids. The pots are usually thickly coated with whitewash, and the offering is nothing more expensive than water, or rum on great occasions. Behind this is usually stuck one or more Asen, iron affairs like the cressets of mediaeval times ornamented with cowries and usually provided with calico cases." (Skertchly, J. A. *Dahomey as it is*. London, 1874. 470p.)

friends. Men and women join in this dance. All wear a necklace of *tulu* leaves. During this dance the father is expected to supply large quantities of food and palm wine for his guests. Twins are always given the same names. In the case of two boys Atcho and Kun ; in the case of two girls Neho and Mbi ; in the case of a boy and a girl, Kun and Mbi.

Age

Twins are acceptable but their birth calls for no special rejoicing. It is the duty of the father to seek out a man who has fathered twins and to learn from him how to perform and carry out certain necessary rites. Special names are given to twins. The case of two boys Ngwati and Kiyi ; in the case of a girl and a boy Osingui and Ngwati.

Befang

As in the Wum clan, the Befang regard the birth of twins as a great blessing. Special rejoicings are held at which *Megene* is danced. The special names given to the twins are, in the case of two girls, Benegong and Mbomengong ; boy and girl Chaning and Mbomengong ; two boys Chaning and Kung."⁽¹⁾

Menka

"Twins are popular in Witchu and unpopular in Ambele. The Witchu mother who gives birth to twins is confined to her house for no less than three years. She is only allowed to venture outside during the night and even then she is on no account permitted to look up at the moon but must keep her eyes fixed on the ground. If she disobeys a calamity will fall upon the village, the season will be out of place and rain will fall the whole year round. When the three years have elapsed there is a big public ceremony, the *Mbeyomo* and *Otatmo* dances are performed and the woman is free to go where she pleases.

In Ambele the very opposite is the case. The Elders of the clan state that long ago their ancestors discovered that if a woman bore twins and both were reared the father invariably died. A law was then passed that there should be no more twins. If the second of the two was not still-

born it was to be suffocated by having a handful of wet clay placed over the face and then buried far away in the bush."⁽²⁾

Nsungli

"The births of twins is an exceedingly popular event among the Nsunglis and the children are regarded as a direct gift from God. The medicine man is immediately sent for and he rubs each child's lips with some herb medicine mixed with salt and palm-oil. Two snails are then caught and their shells removed. In these are placed a little powdered lime, herb medicine and palm-wine. The father then crosses his wrists and holds the two infants in his arms while the medicine man with his wrists similarly crossed, approaches and administers the mixture to each child. The medicine man then takes eight cowries and puts four in a hand of each infant. A new bag is next procured, and after the cowries have been put in it, it is nailed above the bed where the mother and children lie.

Finally, two leaves of a tree that is an emblem of the chief are taken, a portion of each placed on the twins hands, and then the leaves are placed beneath the maternal bed, anointed with palm-wine and kept in position by a stone. All these rites are intended to preserve the children from evil or sickness. The leaves are also placed in the bag containing cowries and at the coming of every new moon the medicine man further anoints the lips of the twins.

The children may not shave their heads, nor must they remove the stone holding in position the leaves until they are adults. When they attain this age, the medicine man is again called in and a feast of two fowls, two baskets of coco-yams and ground-nuts is prepared. The medicine man shaves the heads of the twins and then takes them, with their father and mother, and ceremoniously washes them all. This is a sign that the dangers of childish ills have been safely avoided and that special precautions may now be discontinued. The whole party then returns to the feast prepared. A male twin is called Nchan or Nge ; a female Monyi and each name indicates that its bearer is a divine gift."⁽³⁾

Ndop

"Twins are always looked upon as the gift of the Gods, and all their lives enjoy a special protection, no one will injure them intentionally or touch their property. When the children are young a necklet of *kang-kang* leaves is placed round the neck and they are marked with chalk; spots being placed on brow and breast and in front of each ear as a sign that they are the children of the gods. Should a twin child fall sick its head is gently tapped with a stalk of the sacred *kang-kang* whilst the mother claps together the two halves of a calabash in order to call the attention of the gods to the child. In the event of the death of a twin all the parents of twin children come and help to bury the child.

The curious custom of enclosing the twins at birth so that none may see them except certain privileged people is found to a greater or lesser extent in all the clans with the exception of Oku and Babungo. When the twins are born, a semi-circular fence is built in front of the house of the mother. Inside the fence the twins are kept for a certain time usually till they can walk. Mothers of twins come and salute the newly born children and are presented with gifts by the father. Other people may come and see the children but must observe certain rules. Before ever a man or woman may see the twins they must wash themselves and after this they must not look upon a sick person or a woman with menses or even pass the house of the latter before seeing the children. The person going to see the twins must carry a stalk of the sacred *kang-kang* and should a sick person or a woman with menses see this they will quickly go off the road into the bush in order to avoid being seen. The visitor leaves the *kang-kang* stalk with the twins as a gift. Should the visitor be a man he must observe strict continence that night. Failure to carry out the observances will bring disaster on the twins and the visitor.

When the twins can walk they are circumcised and have their heads shaved whilst still within the enclosure, after this they are taken to see the chief. The chief takes them upon his knees

and calls them his children, and gives each a name, he then presents the mother with a gift, and each of the children are presented with a small raffia bag containing fifty cowries, into this bag people drop their gifts, usually more cowries, or money. Besides the bag, the chief gives the twins gifts of palm-oil; a fowl a piece, and to the males cloth. The 'twin play' then takes place with much drinking of palm wine and dancing.

But all the customs vary in the different clans, thus in Bamessing the children are only kept in the enclosure eight days, whilst as has been shown, in Oku and Babungo they are not enclosed at all. In the former country 'twin play' is delayed till the children are three or four years old, and they are not named by the chief but by a father of twin children. In Bambalang the father of twin children is given two red feathers which are usually only given to a man who has slain a foe in battle, or to a hunter who has killed a leopard.

Custom varies a great deal as to the ownership of the twins, and though it is customary for the chief to claim them, neither in Babungo, Bafanji, Oku, or Bamumkumbit does the chief ever exercise this right. In Bamunka and Bamessi all twins are claimed by the chief. In Bamali and Bambalang one of two males must enter the service of the chief. If the twins are male and female they are both claimed by the chief, one to be a personal servant and the other to become a wife. In Baba and Bamessing one of two males must become a personal servant, and one of two females must become a wife. Whilst if the twins are male and female the chief may choose either. In Bangola only female twin children are taken by the chief.

The dance or play which is made at the celebration connected with the birth of twins is called:

Mefa	by	Bamumkumbit, Bafanji, Bamali.
Vainye	by	Bamunka, Bamessi.
Venue	by	Babungo, Bamessing.
Fa	by	Baba.
Fainya	by	Bangola.
Feyin	by	Oku.
Kia	by	Bambalang." ⁽⁴⁾

It is interesting to compare the names for these special twin dances with the names for 'god' and for 'chief' in these various settlements, thus:—

	Bamessing	Bamunka	Banbungo
God	Nuwe	Nye	Nwe
Chief	Fum	Fon	Fön
	Baba	Bafanji	Bamali
God	Minye	Nue	Nwe
Chief	Fo	Fuön	Ufuö

Anyang

"Twins are very popular. A twin always has the word *Nyu* as his second name. The mother and father have the names *Mainyi* and *Tainyi* given them. The mother remains in the house fifteen days after giving birth. When the fifteen days have elapsed the whole village comes and gives presents to the parents and the *oga* dance is performed."⁽⁵⁾

Nyu or *Nyi* is a root which means 'Supreme Being' in many of the local languages. So that here one meets the concept that a twin is a child of God. It bears a name plus that for God, and the parents are called the mother of God and the father of God i.e. *Ma+Nyi* and *Ta+Nyi*.

The idea that twins are the gift, or children, of God, and so are gods will be noticed again further on.

Nsob

The following information was given to me by the village head of *Nsob*. "When twins are born a *mangi* (medicine man) is called in. He brings palm-oil, salt, and palm-wine and does a purification ceremony.

When the twins are about five years old, the twins, with a goat, are taken to a main pathway. There the father of the twins will kill the goat and cook it and give it and palm-oil and salt to the twins. This sacrificial meal is made so that the twins will not turn their magical power against us and harm us. Twins bring good fortune to the parents.

The twins are given stereotyped names :—

Nge. (m.)	Kuku. (f.)	Nge. (m.)
Tata. (m.)	Cheche. (f.)	Kuku. (f.)

The parents of twins also receive special names, thus the mother is called *Mamfot*, mother of two ; and the father, *Tamfot*, the father of two."

The village head stated that twins will point to a hole in the ground or to a pool of water and will declare that it is from such a site they came. There are no marriage restrictions imposed on twins.

Rom

The following information was given to me by the village head of *Rom*. These people are a branch of the *Tikar* and closely connected with the *Wiya* ~~tribe~~. Among them, twins are regarded as a gift of *Nnue* (God) and when twins are born to a man his compound is fenced off as is done for a chief. On the birth of twins the local medicine man is called in and all relatives are also invited. A goat is then sacrificed to cool the power (reduce the potency of the magic) of the twins.

Twins are provided with a special place where to make their own sacrifices.

This site is selected for them by the medicine man and is usually a hole in the ground. Only twins can say whence they came and if asked a twin will usually point to this hole and declare he was there in the form of an *mbumbu* (python) until he entered his mother's belly. The *mbumbu* is common in the farms.

Twins are given stereotyped names :—

Taku. (m.)	Bofo. (f.)	Taku. (m.)
Tatu. (m.)	Brenya. (f.)	Bofo. (f.)

while the parents then take the title of :—

Tabie	—	father of two,
Mabie	—	mother of two.

Ntem

Among the *Ntem*, who likewise are of *Tikar* extraction and contiguous with the *Rom*, I gleaned the following information. "Twins are welcomed and have supernatural powers. They can foresee what will happen. Thus, they would become aware then tribes were preparing to raid us and would warn our chief accordingly. They also have the power of being able to halt or turn aside illness and evil. Thus if sickness broke out among the *Bamum* twins could prevent it from reaching us."

Twins are given special names :—

Mpomfe. (m.) Momfe. (f.) Mfomfe. (m.)
 Njin̄ku. (m.) Nyen̄ie. (f.) Momfe. (f.)

The father of twins takes the title of Tabifa or of T/ebi/a and the mother that of Mabifa or of Mayifa.

Wante

In the town of Wante in the Mbö plain and not far from Ntem the following notes were taken. A woman after the birth of twins takes the title of *mebi* i.e. mother of two. (*me*=to parturite and *bi*=two). She then dances before her hut with an open raffia bag into which the visitors summoned to celebrate the occasion place gifts of cowry shells and of iron hoes. Such presents are made because of the good fortune that has come to the town on the birth of twins. Twins have special names :—

Nwantu. (m.) Momfe. (f.) Fomfe. (m.)
 Fomfe. (m.) Ngonsö. (f.) Ngonsö. (f.)

Dumbo

On leaving the area colonised by the Tikar immigration in the North and going South along the western side of the division, one comes across Natives in the valley of the Katsina who claim to be original inhabitants.

The attitude to twins is here quite different : "No twins are born in our land" said a village elder of Dumbo and "Dumbo women don't do such things". Another informant remarked that this statement was not true and that twins were born but do not live. Dumbo does not approve of twins. The compound, where such a birth occurs as well as the mother, are purified with special medicines. The woman then continues to live with her husband.

Isu

In this neighbourhood i.e. in the valley of the Katsina is the iron-workers' village of Isu. They claim to be migrants who arrived in this vicinity under a leader called Nguangun the ninth from the present village head. Their centre of diffusion, Ndewum, from which also came Kuk is no great distance, about a day's walk away. Both these

settlements welcome the arrival of twins by a feast and among the Isu the following stereotyped names occur :—

T/u. (m.) T/uö. (f.) T/u. (m.)
 Kum. (m.) Ndum. (f.) T/uö. (m.)

In the village of Menkap, also in this vicinity and also an immigrant village, twins have magical power but have no control over the rain. Parents should never quarrel with their twin children otherwise misfortune will afflict the house and things will disappear.

The traveller, Mr. Migeod, has a few notes on twins in these areas thus. "When twins are born (among the Bafut) the chief can take whichever he likes. A male twin is called Foni ; and a female, Beni. . . (At Babungo) the chief formerly named twins. A twin boy is always called Vamenui and a girl Wenuwozi. . . (At Bemessi) as to twins, no one sees them until they are grown a little. Both are eventually taken by the chief, the girls as wives. They are named as follows : both boys Fwaku and Togbwa ; boy and girl, Fwaku and Bwonya ; both girls Bwonayi and Viga. If one dies, the survivor is named Bwofa regardless of sex. A male is reputed always to precede a female in birth. . . Twins (among the Bansa) have special names. If both are boys their names are Tata and Luko ; one male and one female, Taba and Wiba ; both female Krekro and Wiba. . . Twins (among the Ndum) are named as follows : both male, both Nchang ; both female, both Bonu ; male and female Nchang and Munyu." I did not check up on the last assertion but I may safely say that each twin has its own distinct name. He continues : "The Ntem give special names to twins : two boys, Taku, Bibi ; two girls Wadai, Wafas ; one boy, one girl, Bibi, Wadai . . . (Among the Mambila) the naming of boys and girls is done by the father but God gives twins their names. Two boys are named Sainya and Tong ; two girls Buti and Fonkwai ; and one of each sex, Sainya and Fonkwai."(*)

This statement that God gives twins their names means that twins are given names of gods, and as gods do not change, these names are stereotyped ones. In other words the Mambila were telling

Mr. Migeod that twins were named after gods. another way is a statement that twins are gifts
 But only gods get god-names and so here in of God, are gods.

REFERENCES

- (1) CANTLE, L. L. Unpublished Govt : MSS. Assessment Report of the Wum Native Administration Area. 30.1.1932.
- (2) SHARWOOD-SMITH, B. E. Unpublished Govt : MSS. Assessment Report on the Menka District, Mamfe Division. 31.1.1924.
- (3) HAWKESWORTH, E. G. Unpublished Govt : MSS. Nsungli Assessment Report. December 1923.
- (4) DRUMMON-HAY, J. C. Unpublished Govt : MSS. Ndop Assessment Report. 1925.
- (5) SHARWOOD-SMITH, B. E. and CANTLE L. L. Unpublished Govt : MSS. Assessment Report on the Anyang and Manta tribes, Mamfe Division. 31.3.1924.
- (6) MIGEOD, F. W. H. Through British Cameroons, 94, 107, 110, 118, 127, 148, & 154. London, 1925.

THE INITIATION LANGUAGE : LOKELE TRIBE

J. F. CARRINGTON

Introduction

Passengers on board the river steamers travelling through Lokelé country between Isangi and Stanleyville often remark on the presence of clumps of tall trees at the end of many riverine villages. Cultivation and clearing for building purposes have pushed well behind the villages the boundary of the forest-covered land so that the clumps of trees are most noticeable as a result of their comparative isolation. These groups of trees are the *fobe* (singular: *lobe*) and are the sacred groves where the initiation rites known as libéli were carried out.

The ceremonies called libéli by the Lokelé folk have been described in detail by a pioneer missionary of the Yakusu area, the Reverend W. Millman.¹ It will be of interest, however, as an introduction to the present linguistic notes to reproduce an independent account written down in Kelé by an informant who took part in the rites of 1924, which were the last of the series to have any influence on the tribe. The translation is my own.

An account of libéli which is a rite of the Lokelé, Foma, Olombo and Topoke peoples and which we call lilwá.

Lilwá is a rite performed by males. It begins in the forest. It is by nature full of many dangers. When men begin to go into libéli in the forest, the one who is to undergo the ceremonies holds on to the waist-belt of a man who has already been initiated while the latter says: "The spirits await us there on the sides of the road; if you let go of my belt they will kill you! (You don't realise that they are only men of the village.)" Then in the road you see men who carry sticks for fighting. Some carry arms—knives and scimitars—while

their faces are daubed with white. Then the one who has taken you along gives you a stick for yourself and you fight with them with all your might. If anyone gets wounded they say that the spirits wished to kill him.

Then, when you arrive inside the sacred grove *lobe* you see many men of the village who speak in words which sound nonsense and who claim that they are spirits when actually they are men. They make you lie down on the ground where they have put packets of pounded peppers and they pour these into your eyes. Then you run around with smarting pain for a whole hour, while they shout at you in the libéli language: *éétwe, éétwe!*²

Then, after an hour, they pound up sugar cane to put into the eyes of the initiates. Straightway the smarting pain caused by the peppers ceases. You open your eyes which are bloodshot because of the peppers. Then you sit down quietly on the ground and they give you teaching about the things of the world and tell you the laws of libéli which are:

1. do not quarrel;
2. do not fight;
3. do not grumble at the size of food offered to you;
4. do not refuse to give a man food when you are eating;
5. when you go into the village do not laugh;
6. when you go into the village do not look beneath the legs of a woman;
7. do not speak the ordinary language of the village but only the libéli language;
8. do not put your food pot on a fire in the village but only in the forest;
9. do not make indecent movements when dancing and do not cry;

¹ W. Millman, "The tribal initiation ceremony of the Lokelé". *International Review of Missions* XVI, 63. July, 1927.

² This is a cry of derision.

10. never eat off a plate when you are in the village but rather off the ground so that the village folk think that you are no longer behaving as an ordinary man ;
11. do not make mistakes in your words ;
12. do not make mistakes in dancing.

When they have finished saying these things they (the initiates) remain in the *lobé* and eat food which has been brought into the forest with the injunction : Give this to the spirits. When the food has been eaten they pound charcoal and mix it with oil ; then they smear it on the bodies of the initiates, until they look as though they are covered with resin. Then they say : The water-spirit, *ndiya*, has swallowed them.

When the day declines the initiates come back into the village singing :

olombe olombe liolo
 olombe olombe liolo
 áféla máeláfá yaonje winíki mbee
 liolo liolo kwoló
 aífó liolo lyákwoló
 liolo olombe liolo

which means : he who goes into the *lobé* is no longer a child, he has become an adult.¹

Then you will be taken to the place where the libéli house is. The older men pound the end of a banana stalk and smear the initiates with charcoal. Then, after they have gone to bathe in a stream, the men bring food to the initiates and they eat.

When they have been in the forest for a week, the initiates have *boté* medicine rubbed into their backs. This medicine called *boté* is a mixture of

many things which have been calcined. The ashes of these things are put all together in a pot which is buried near the base of a tree in the *lobé* and is hidden there.² The things which are mixed together for the medicine called *boté*, which is rubbed into the backs of the initiates are :

1. a snake called *litútandiya* ;
2. a chameleon-like lizard : *likalángóngó* ;
3. a large black millipede : *kóngólú yaboélé* ;
4. a house lizard : *lokúli* ;
5. a black and white tree lizard : *likambe* ;
6. a bone of the crocodile.³

All these are heated and mixed together as *boté* medicine to put on the body. If you disobey the rules, for instance the rule about laughing you will get the disease *fala* in the mouth ;⁴ or the rule about the legs of a woman you will get *fala* in the eyes ; or the rule about talking you will get *fala* in the mouth ; or the rule about fighting a man you will get *fala* in the arm, without any doubt. Then they will say in the libéli language :

isisikwi namo kotenda simbuli maaketechani
 bokwelenga londoe wambulu sikwa yaengoni
 which means :

the little bit of stuff which is on your back, if you make a mistake over a rule, you will become a cripple with *fala*.

When the time comes to leave libéli and the forest, at night the elders will go with you to the end of the village at the beach and all the initiates plunge into the water shouting : "Ho! no longer any taboos!" Then you come ashore and go into the village. You spend a month in *bowai*⁵ not going near to a woman. Then at the second month

¹ The word *máeláfá* is also used for *lobé* in the libéli language. Another variant is : *loywe*.

² Lifindiki of Yaalufi village told me that the spirit of the *boté* made a hissing noise as it came out of the newly opened pot which had been sealed and buried beneath the roots of a tree. Fermentation within a tightly closed receptacle would seem to account for this noise more rationally. The medicine was put on to the backs of the initiates with a long stick and in such a position between the shoulders that the fingers of the boys could not reach it. To touch the medicine would mean *fala* on the arm.

³ The name *litútandiya* means : which follows the water-spirit. This snake is much feared. *Likalángóngó* and *kóngólú yaboélé* are also feared by the peoples of the Yakoso area. The former is the servant of witches and its arrival in a house is believed to presage death.

⁴ Probably tertiary yaws ; the breaking of many taboos in lokelé land is supposed to bring on *fala*.

⁵ Bowai is the term commonly used to denote the period of seclusion of a wife immediately after marriage and before the birth of the first child.

you mix with women and sleep with your wife in a certain place. So the matter finishes.

* * *

According to Lokelé initiates, the rites known as libéli were a foreign introduction, emanating from the country of the Mba tribe¹ to the north-east of the Lokelé area. The rites spread westward but never affected the whole of the Lokelé tribe, almost all the villages belonging to the western section known as Wembe refusing to participate in the ceremonies. The boundary between libéli-practising and other groups is in the village of Yafunga (the most easterly Wembe group) of which the up-river *búkulu* (plural: *byúkulu*, meaning family-group or clan) of Yaosombo joined with other Lokelé communities in sending their youths into libéli, while the down-river *byúkulu* favoured the Wembe attitude of non-participation. Libéli rites are actually found among the forest tribe known as Topoké to the west of Wembe country, but their rites seem to have been introduced by a different route from that followed by the libéli rites adopted by the Lokelé.

Each celebration of libéli was given a special name. The following list of the ceremonies held since the introduction of libéli was drawn up by a literate informant from Yangonde, a village in the central (Yaokanja) section of the Lokelé tribe. It is subject to caution as an historical document but it serves to give a rough idea of the length of influence of libéli on the tribe. The dates of the last three celebrations can be fixed with certainty from records by missionaries working in the area. The meanings of the earlier names were unknown to the informant:

1. ifolyáfolyá
2. tangwánáká
3. kokele
4. bakwándulu (time of great famine)
5. baululu (black arm-bands were worn)
9. bakáta (brass ornaments worn on legs)
7. loywendé
8. tukutuku (river steamer first seen . . . circa 1888 ?)

9. boláya (European axe-heads used for currency, 1900)

10. falánga (small white coins introduced, 1910)

11. bengelé (1924).

In Yakoso village one man only who took part in the tukutuku rites is still alive; a number of old men are boláya initiates (including the village chief) but the majority of those who know libéli and its language are of the falánga and bengelé groups.

The purpose of the present study is firstly to record what is already a dying language since no rites have been observed among the Lokelé for twenty-three years and it is doubtful whether libéli will ever again influence the tribe. An abortive attempt to start the ceremonies in the village of Yatumbo two years ago met with a response from only two or three youths. Informants who went into the forest during the boláya rites are often secretive about their information, which suggests that they still regard libéli as having power over them. (Lifindiki of Yaalufi would never talk to me about his experiences, for instance, if my wife were in the room.) But the candour and lack of fear among the younger men of bengelé shows that libéli is an out-moded custom for most of them. Knowledge of the special language (liói lyálokonda, language of the forest) will die with the initiates of boláya, falánga and bengelé.

A second reason for recording the present notes on the libéli language is to help with attempts to place such initiation languages in the rapidly expanding corpus of knowledge about Central African tongues. Libéli languages are used by the Olombo, the Foma, parts of the Mbóle and by the Topoké tribes in the Yakusu area. Ceremonies using the libéli curse-word of *lilwáda* or bearing names closely resembling libéli (the nebeli of the Azande, for instance) are known to occur among several Central African groups and some of these have secret languages associated with them. It will be of no small interest to workers on Bantu linguistics to have material for the comparative study of these esoteric forms of speech. For our

¹The Mba (called baManga by the Lokelé and neighbouring groups) is a non-Bantu, probably Sudanic, people.

own area, the question presents itself : Is the libéli language an "ad hoc" production or is it based on secret languages used by the initiates of similar ceremonies in areas whence the Lokelé derived their form of libéli ? The first step in any attempt to answer that question must be the recording, in as detailed a form as possible, of the language of the forest in the Lokelé area.

The present language notes are based upon information supplied by four Lokelé men; one from Yakoso village who gave most time to the work and whose language will be taken as standard here, and three men from the central section of the tribe, namely Yaokanja. Knowledge thus gained however, has been checked again and again with a much wider circle of men in many other villages of the Lokelé as well as the forest areas to the north and south of the river (Congo).

Phonetics. The phonetic structure of the libéli language is similar to that of modern Kelé. There is the same seven-vowel system comprising: a, e, ε, i, o, ɔ, u. The libéli language also shows the vowel harmony or euphonic attraction characteristic of Kelé and some allied languages, where the two open vowels ε and ɔ occur together in a given word while the closed vowels e and o occur together; but open and closed vowels rarely occur together in the same word. Thus :

(Kelé) ¹	(Libéli)	(English)
tóoleke	tófoliseke	let us kill
tókeke (or tóéke)	tófeleke	let us go

In these two examples the pronominal prefixes and the suffixes are formally the same but their phonetic values differ following the vowel of the verb stem.

(Class prefix)	(cf. Ur-Bantu prefix)	(Kelé)	(Libéli)
1. bo-	mu-	boswi builder	boginé master
2. ba-	va-	baswi builders	banginé masters

¹ Here and in succeeding notes we shall give examples from Kelé as well as from the libéli language because no published grammar of Kelé exists apart from a manuscript grammar used by the Yakusu staff and prepared by the Rev. W. H. Ford, B.A., together with some out-of-date material in Stapleton's *Comparative Hand-book of Congo Languages* and a somewhat inaccurate vocabulary in Johnston: *A comparative study of the Bantu and Semi-Bantu languages*, Oxford, 1919-22.

² Cf. D. Westermann, "Charakter und Einteilung der Sudansprachen", *Africa*, VIII, 2. 1935.

While the phonetic systems of the two languages are so similar however, it is worth noting that the libéli language makes greater use than Kelé of the consonant kp (which sometimes becomes kw for some speakers); this is a characteristic phonetic element of many Sudanic languages.² Examples from libéli are :

kpókpóló	a small box (used by translators of the Old Testament for "ark")
likpálá (likpálé)	a woman
kpákpa	dog
likpélénga	leg

Tonetics. Like Kelé, the libéli language has only two essential tones, one high and the other low. In general, the libéli language is not used in broadcasting messages by means of the two-toned wooden gong or on two-toned horns or whistles, but one phrase is used to call together the village elders and future initiates at commencement of the ceremonies :

mbéli yáambólú bôndôbôndô.

The exact meaning of individual parts of this phrase is unknown to those who use it but its general meaning is an order to the men who will be the banyangó (literally : mothers) of the new group of initiates, to prepare the boys for the rites. The two-toned gong is adequate for representing the tonal patterns of the syllables of the libéli phrase. In the present study high-toned syllables are marked with an accent while low-toned syllables are left unaccented. It will be noted that details of tonal structure are remarkably similar to corresponding patterns in Kelé.

Grammatical structure. Libéli nouns can be grouped in the same noun classes as Kelé nouns :

3.	bo-	mu-	botá	branch	bosafé	canoe
4.	be-	mí-	betá	branches	besafé	canoes
5.	li-	li-	likondo	plantain	lingoni	plantain
6.	ba-	ma-	bakondo	plantains	bangoni	plantains
9.	(none)	ni-	ndáko	house	kói	house
10.	(none)	li-ni-	ndáko	houses	kói	houses
11.	lo-	lu-	lokásá	leaf	lókóélé	leaf
12.	to-	tu-	tosándú	trees	tolóngi	ears
15.	o-	ku-	okelá	to do	onyanyá	to make
			olúwá	to know	osáfá	to come
16.	a-, ma-	pa-	ánima	where ?	wáki	where ?
17.	o-	ku-	óno	here	kúnu	here
18.	mo-	mu-	móni	how ?	móó	truly ¹
19.	i-, si-	pi-	isándú	tree	ilóngi	ear.

The locative classes 16, 17 and 18 are the only ones where libéli class prefixes differ from those for Kelé. It should be noted that these locative classes do not have such a great part to play in the languages of the Yakoso area as they do in, say, Swahili, Luba, Kongo or some other Bantu languages. Note also that Kelé has a noun class with prefix e- (Ur-Bantu class 7, prefix ki-), for example : elanga, garden, which does not seem to have representatives among libéli nouns. This may be due, however, to the restricted nature of our present knowledge of the libéli vocabulary.

Concords. A characteristic feature of the libéli language is the absence of concords with demonstratives, adjectives and enumeratives, though they do occur with possessives. Kelé has a typical Bantu concordial system with all these categories.²

Demonstratives, of which libéli only seems to have one positional type as contrasted with the three distinct types of Kelé, are formed by suffixing the formative -éndi to the noun. This formative may be prefixed and suffixed in order to give emphasis :

wíniki éndi	this child	cf. Kelé : wána-yo
byíniki éndi	these children	bána-ba
bangoni éndi	those bananas	bakondo bání
londékwá éndi	that manioc	lomata lóná
likpálá éndi	that woman (to whom I was referring)	botomáli-aó
éndi senge éndi	that very village	óná okéngé óná

Adjectives follow their nouns without being brought into concordial agreement with them :

boáná njulú	a good eye	cf. Kelé : liso liláu
byáná njulú	good eyes	baiso baláu
ikémbulu njulú	a good bird	noli eláu
tokembulu njulú	good birds	noli biláu

Enumeratives. Numeration in libéli is as follows :

olinyé (bolimailo)	one	cf. Kelé : -mói
njáfa	two	-mbalé
sáló	three	-sátó
kinyenye	four	-nei

¹ Lit. : there, just there.

² Cf. C. M. Doke, *Outline Grammar of Bantu*, Johannesburg, 1943.

lifóko	five	bomiwó
kitókwe	six	liambé
longandú íólóú	seven	bosambalé
longandú otófe	eight	bonáneí
buténi (lifó)	nine	libwá (iseke) ¹
núsi	ten	liu
bengombo njáfa	twenty	kámá ímbalé
bengombo sáló	thirty	kámá ísátó
bengombo bengombo núsi	hundred	(mía ² emói), kámá liu

Enumeratives follow the substantives :

senge kinyenye	four towns	cf. Kelé : bekéngé bénei
likpálá olínyé	one woman	botomáli omói
cafóló sáló	three drums	ngóma bisátó

In Kelé there is concordial agreement with the noun by the first four numerals. In libéli this agreement never takes place.

Possessives. The possessive concords are the same as for Kelé :

class 1 :	wa-	for a small group of nouns covering close family relationships ;
	wá-	
class 2 :	bá-	
3 :	wá-	
4 :	yá-	
5 :	lyá-	
6 :	bá-	
9 :	ya-	
10 :	yá-	
11 :	lwá-	
12 :	twá-	
19 :	/á-	

The tonal characters of these concords are identical with corresponding concords in Kelé. Examples of these concords used with nouns are :

wíníki wálikpálá	the child of the woman
kói yaongíné senge	the house of the chief
kói yáongíné senge	the houses of the chief
liolo lyábokaile	a man of theft (a thief)

Possessive pronominal stems exist for the first and second classes :

Class 1 : 1st. person :	-namí	e.g. bongíné wanamí	my master
2nd. person :	-noe	bosafé wánóé	your cane
3rd. person :	-naé (-namó)	kói yanaé	his house
Class 2 : 1st. person :	-énjéesú	lo/á lwénjéesú	our fish
2nd. person :	-énjéénú	kói yáénjéénú	your houses
3rd. person :	-énjébó (-énjéú)	lingoni lyénjébó	their plantain.

¹ The alternative Kelé word for 9, namely *iseke*, is used by women or when speaking to a woman because the word *libwá* is so like the libéli curse-word *liwóda*, which no woman must use. The stem : -sek- means : to laugh.

² *Mia* is borrowed from Swahili.

³ Cf. J. F. Carrington, "The Tonal Structure of Kelé", *African Studies*, Dec. 1943.

These stems may be compared with the corresponding forms in Kelé :
-mí, -e, -ndé, -sú, -nú, -ú.

Personal pronominal forms used separately in libéli are :

nami	cf. Kelé : imí	I
nɔɛ	ae	you (singular)
naé (namó)	indé	he
esú	isó	we
enú	inó	you (plural)
bó (eu)	iyó	they

The Verb. The simple *copula* is built up by a stem -mbúli, with prefixed class concord :

Class 1 :	1st person : imbúli	cf. Kelé : ile
	2nd. person : ombúli	ole
2 :	1st. person : tombúli	tole
	3rd. person : ambúli	ale
	3rd. person : bámbúli	bále
	2nd. person : ombúli	ole
3 :	bómbúli	bóle
4 :	bémbúli	béle
5 :	límúli	lile
6 :	bámbúli	bále
9 :	embúli	ele
10 :	bimbúli	bíle
11 :	lómbúli	lóle
12 :	tómbúli	tóle
19 :	símbúli	síle

The negative conjugation of the simple copula uses the same verb stem prefixed by the class concord (always high in tone) plus -ti-. For example :

ngayó étimbúli njulú the knife is not good

cf. Kelé : kembe eti eláu.

The Infinitive is built up (as in Kelé) of the stem plus prefixed o- (or ɔ-) :

osáfá	to come	Kelé : oyá
ɔfélé	to go	ɔké (ɔkendé)
okáulá	to say	oongá
onyanya	to cease	omachá
okámbémbé	to go to fish	okálúwá

It will be noted that there are two categories of verb stems in the libéli language as there are in Kelé ; namely, stems with high-toned initial syllables and stems with low-toned initials.

The Imperative suffixes -á, -é, é, -ó to the stem ; an emphatic form adds -ká, -ké, -ké or -kó to the simpler form :

sáfé	(sáféké)	come !
félé	(féléké)	go !
ngisé	(ngiséké)	give !
nyanyé	(nyanyéké)	stop !

While this form closely resembles the imperative formation of Kelé (tonally the two forms are identical)

there is one noteworthy difference ; a Kelé verb stem ending in -a would form its imperative by suffixing -ká and never -ké.

káúléké (< káula) speak! cf. Kelé : oṅgáka (< oṅgá)

The Subjunctive form is the same as for Kelé, i.e. a suffix -e(-ε) or -eke(-εke) with low tones is added to the verb stem :

tófeleke	that we might go
ányanyeke	that he might stop

The Indicative mood. Tenses of the indicative mood are numerous. Some are constructed in the same way as corresponding Kelé tenses but there are others peculiar to the libéli language. Those built up as for Kelé are the following :

Remote past tense : infix -á- and suffix -áká (-éké, -ókó, -ókó) wálólókó, ṅwalé, you drank wine
cf. Kelé : wámwáká báná.

Immediate past tense suffix -i :

akáúli	he said	cf. Kelé : aongí
asáfi	he came	ayi
anyanyí	he stopped	amaci

Future tense : infix -é- (which coalesces with pronominal concord a- to give é- and with the vowel o of pronominal concords to give ó-) plus suffix -aka (eke, etc.)

ékáulaka	he will say	cf. Kele : éoṅgaka
ényanyaka	he will cease	émacaka
ósáfaka	you will come	óyáka

Compound forms, employing an auxiliary and the infinitive are common to Kelé and the libéli language. We note the following forms :

Past perfect tense : auxiliary -só- plus infinitive :

asóoléṅgélé namí túma	he has cooked-for me food
-----------------------	---------------------------

cf. Kelé : asóolámbélá imí bieka.

Immediate future : auxiliary -t- (-ta- ?) which raise the tone of the prefix o- of the infinitive and lowers the tone of the following syllable in the case of verbs with essentially high tone initials :

atófelé laénjéesú	he will come with us
-------------------	----------------------

cf. Kelé : atóyá lasú.

Consecutive tenses are built up in the libéli language as in Kelé by prefixing la- (the simple consecutive tense) or ko- (giving an exclusive sense) to the infinitive form.

la- plus o- (infinitive prefix) give lo- ; ko- plus o- give ko-.

tófololise oyókolí oyókolí	if we kill many many
esú kongísá kamá	we then give to mother
kamá koléṅgélé esú	mother then cook-for us.

cf. Kelé : tóola wíké wíké

ísó kofá iya
iya kolámbélá ísó

Tense forms peculiar to libeli :

The *past perfect tense* uses an auxiliary -máisó-, followed by the infinitive :

asóomáisó osáfá	he has come
-----------------	-------------

cf. Kelé : asóoyá.

tosóomáisó osíndiká kamá	we have seen mother
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cf. Kelé : tosóóéné iya

A second form of auxiliary, also used for a past perfect tense, is -njémá, followed by the root stem with prefixed iká- :

isóonjémá ikáféle

I have gone

Kelé : isóké

tosóonjémá ikásafá

we have come

Kelé : tosóoyá

So far as I have been able to discover, there is no difference in meaning between these two forms with auxiliaries -máisó- and -njémá.

Negative conjugation. Some of the negative forms are built up as for Kelé :

átinyanyé bokaile

he did not stop thieving

Kelé : átimaché wiyá

This form has infixed -ti- and suffixed -é.

The auxiliary -máisó- forms its negative in this way ; the final -o of the auxiliary is not changed by hypothetically suffixed -é :

átimáisó osáfá { he has not come. Kelé : átiyé
he did not come.

For the negative conjugation of the future tense, the libéli language differs from corresponding forms in Kelé and uses káalé (used alone with meaning : no!) followed by the consecutive tense with prefixed ko- :

káalé kóó/óló

he will not forget

Kelé : áitóosálá

káalé konyanyé injéésú

he will not desert us

Kelé : áitómachá ísó.

Ideophones. These occur in the libéli language but are not identical with those of Kelé and are much rarer : asóomáisó omályá *kwambe*, he has finished completely ; cf. Kelé : asóosilá *fé*.

A second example is the ideophone used to express sound of falling on the ground heavily : *gwimoo* (cf. Kelé : *kbuu*).

Vocabulary. The following elements of the libéli language vocabulary are arranged for convenience of comparison in sequence of the alphabetical order of their English equivalents. Where more than one version is given, the Eastern dialect is printed as standard with the Central (Yaokanja) dialect variant in brackets.

(libéli)	(cf. Kelé)	(English)
iongi	loáso	affair
aulo	akó	alas!
yaosómbe	-totina	all
la	la	and, with
lifóko	bosámbá	arm
kutemá (miá)	kondá, ndá	at, to
kicolo	/óndo	axe
obái	-bé	bad
-mbúli	-le	be (to)
sófó	sóló	belly
ikémbulu	nóli	bird
limbuleli }	sandúku	box
kpókpóló }	(Swahili)	
mbuwani	etúngani	brother (younger)
kwoló	bóló	brother (older)

otafé (osafé)	wátó	canoe
lawemu	laweli	carefully
-nyanya	-maca	cease, stop
winiki	wáinengé	child
bonginé senge	bokota	chief
búmesi	bisinda	clothes
-sáfa	-yá	come
-léngéle (-lóngéle)	-lámbele	cook for
lilwáa	. . .	curse word
lombólá	bi/á	dance
lilóngá	lisé	day
-wéngelo	-wá	die (to)
bondalo	esika	distant
-ngíle	-kela	do
kpákpá	ngwá	dog
-lóló	-mwá	drink
cafoló	ngóma	drum
ilóngi	litói	ear
-lé/o	-lá	eat
yamúle lingala	njoku	elephant
boáná (boéná)	liso	eye
katá	fafá, sángó	father
-ngwélíma	-wánga	fear (to)
-málya	-sila	finish
bokofi	bósá	fire
tokongoni (tondoendoe)	tokolokolo, toála	firewood
lo/á	swi	fish
bengoló (yáangoló)	ngóna	forest-stream fish
sokwani	sóó	minnows
lo/á téngé	menga	sharp-toothed fish
lo/á lwásengalóle	swi bílité	dried fish
túma	bieka	food
itweétweé	ebébé	fool
lekowa	lokonda	forest
-/óló	-osala	forget
kényólé	kókó	fowl
bonyóngoli	bokoli	girdle
-ngíaa	-fá	give (to)
-féle	-ké	go (to)
tamúsenge	mbúli	goat
kolika	boúngú	gong (wooden)
njulú	-láu	good
ke/á	sweé	hair
bondemba (bongemba)	botó	head
-mbóca	-óka	hear (to)
kúnu	óno	here
-kúmbala	-unda	hold (to)

kói	ndáko	house
isómbé	isiye	hunger
litango	lokando	journey
-fólisa	-óla	kill (to)
ngayó	kembe	knife
-úfiana	-lúwa	know (to)
bkoélé (lofoésé)	lokásá	leaf
likpélénga	bokolo	leg
-téngisa	-ticha	look
liolo	boto	man
bocifocifo	bosongó	white man
londékwá (lombété)	lomata	manioc
mbokó yáfolya	bombolo	manioc leaves
oyókoli	wiké	many
báingwé	bieto	money
kamá	iya, nyangó	mother
bóndali	boili	mother-in-law
bóngwá	bonoko	mouth
bongilo	botái, wénga	net
káalé	mbá	no !
aloya aloya	kwani kwani	now
ndámá (balámá)	baíta	oil
lilóle	kái	paddle
lingoni	likondo	plantain
limbeká	téi	pot
bomboó	isándú, wi/a	punting-pole or any stick
liuké (loiyoiko)	liandé	river
twali	mbóle	'down-river
ngombé	likoló	up-river
ciéfé (/éfé)	mbóka	road
losangili	losambo	roof
twángi	bokwá	salt
-sindiká	-éne	see (to)
bonginé	angéné	self, master
-káula	-onga	speak, say (to)
ngayó yalingandó	likongá	spear
bolúmbú	bolimó	spirit
bokaile	wiyá	theft
esondakuká	lianga	tobacco
laténdi	loúsé	today
lailongwa	laelengo	tomorrow
téngé	linyo	tooth
lingandó	bítá	war
bokeli (njiélé)	baliá	water
likpálá (likpále)	botomáli	woman
kingwengwe	liango	wrestling
afó, mótye	eingó	yes!, indeed!

Most of the villages whose youths entered libéli rites were known by special names. The significance of some of these names is clear though others remain obscure to present day users of the libéli language. Beginning from Yakoso village and travelling down-river, we have :

Yakoso	senge kémbulu	lit. village of birds, -koso is a parrot.
Yalokombe	senge lókólélé	
Yaliembe	senge kwakwai	
Yaaloca	senge kói	lit. village of houses
Yangonde	senge málya	
Yaalufi	senge olongú	
Yefoloma	senge akulúmbe	
Yafolo	senge sofo	lit. village of bellies
Yafunga	senge kuka	

Similarly, neighbouring tribal areas were referred to by special names :

Yawembe villages	senge twángi	villages of salt
Stanleyville area and Ena tribe	senge balóle (sengalóle)	villages of paddles (to be reached by paddling)
Olombo villages	senge ongombo	
Mbole villages	senge safa.	

NOTES OF THE QUARTER

In August 1946 a Committee on Higher Education under the chairmanship of Mr. Kenneth Bradley C.M.G. (Acting Colonial Secretary of the Gold Coast) was appointed to obtain the "clear and undoubted wishes of the people of the Gold Coast regarding the Secretary of State's proposals for the development of *Higher Education in West Africa*. The Secretary of State's original proposals favoured the minority report of the Elliott Commission, suggesting the establishment of one University for West Africa in Ibadan, Nigeria. Public opinion in the Gold Coast is strongly in favour of the establishment of a University in that country in addition to the proposed University in Nigeria. Achimota College in the Gold Coast has been in existence for twenty years, and for the last fifteen has been providing courses of higher education. It has been a source of pride to the people and a powerful influence in the country. It was a shock to them to hear suggestions for making it into a territorial college. The Committee ascertained that the people, while very reluctant to dispute any decision of His Majesty's Government, did wish that the original decision should be enlarged to include the establishment of a second University College in West Africa at Achimota. Their proposals are expressly designed to avoid any conflict with the development of a University College at Ibadan; that no restrictions would be imposed upon private students who wish to go to Ibadan, the United Kingdom or elsewhere; and that assistance from public funds should be given to students desiring to go abroad for studies not available in the Gold Coast. The Committee considers that there are sufficient students to make the plan worth while, and reports the conviction of the people that they will be able to meet the cost from local resources. The report was submitted to the Governor, and the Secretary of State has now approved the establishment of a Gold Coast University College on the understanding that it would be largely financed

by the Gold Coast—the proposed West African University College at Ibadan becoming the University of Nigeria."

* * *

Bantu Studies in South Africa sustained a heavy loss in the sudden death on October 26th of Dr. Benedict Wallet Vilakazi, Senior Language Assistant (Nguni) in the Department of Bantu Studies at the University of the Witwatersrand. Though only 41 years of age Dr. Vilakazi had made his mark in literary development among the Southern Bantu and had attained a high place in the affections and in the imagination of the African people of the Union and far beyond. His career shewed what can be done by painstaking perseverance. He matriculated in Natal by private study while supporting himself by teaching, and then went on to attain the B.A. degree of the University of South Africa in the same way. It was at this stage that his poetical talent came to the notice of the Witwatersrand University, resulting in the publication of Vilakazi's *Inkondlo kaZulu* as the first number of the *Bantu Treasury Series* in 1935, and his appointment to the staff of the Bantu Studies Department at this University. The enlarged opportunity for study and research afforded by the University made it possible for Vilakazi to qualify in succession for the degrees of B.A. Honours (Bantu Languages), M.A. (with a thesis on Bantu Poetry) and ultimately D. Litt. (with a thesis on Oral and Written Literature of the Nguni). The conferment of this Doctor's degree at the graduation ceremony in Johannesburg's City Hall at the beginning of 1946, marked a new milestone in Bantu achievement. Vilakazi was the first African in the Union to achieve the distinction of the Doctorate of Literature.

In his work at the University he was highly successful, being respected by all his students and held in high esteem. For a number of years he collaborated with the Head of the Department in

the compilation of a large Zulu Dictionary, of some 30,000 entries, and at the time of his death was participating in the final proof-reading. He did not live to see the publication of this work, but it will ever be a monument to his erudition and research.

But Vilakazi was pre-eminently a poet. His whole outlook on life was poetical. He thought deeply and the charm of poetry coloured all his speech and writings. He published two books of poems, *Inkondlo kaZulu*, his well-known work, containing that master-poem on the Victoria Falls, which has been translated successfully into English, and later *Amal'eZulu*. In his poetry generally Vilakazi had a bias towards the sadder subjects: he speculated much on death, sickness, and, as with the Negro poets of America, whose work he knew well, the disabilities of his people and the racial discrimination in South Africa, coloured his poetry to an appreciable extent. While he was able to imitate the style of the traditional *iziBongo* of the Zulu, to a great extent he broke away and blazed new trails, toying with rhyme—a foreign element to Bantu poetry—and imitating much in style from such English poets as Keats and Shelley. We consider his efforts in these directions to have been considerably successful.

But he was not only a poet. He contributed three prose works of no mean calibre. *uDingiswayo kaJobe* was a historical novel which will rank high in the growing Zulu literature. His other books were *Noma Nini* and *Nje Nempela*, all written in the Zulu he loved, and redolent of poetical expression and rich vocabulary. The depth of Zulu vocabulary which Vilakazi possessed will be realized when the Zulu Dictionary is published.

Vilakazi was obsessed, with a great desire for the intellectual advancement of the Africans. He believed that they were capable of rising high, and he devoted his energies to encouraging and advising many a budding author. He himself took no part in any agitation for advancement and kept aloof entirely from politics; he believed that by perseverance and the revelation of personal worth the higher status could be achieved, and his life and attainments are eloquent testimony to the truth of this belief.

A crowded tribute service was held at the Bantu Men's Social Centre, Johannesburg, on October 30th, prior to the entrainment of the body for Natal. On Sunday, November 2nd, the burial took place at Mariannhill Monastery near Pinetown, between four and five thousand people being present to pay a last tribute to a great African.

BOOKS IN REVIEW

The Influence of English on Bantu Literature.

D. D. T. JABAVU. (Lovedale Press, 1947.) 26 pp.

This little publication is an address delivered at Lovedale in 1943 to the Fort Hare Branch of the English Association. It consists of a survey of the five principal Bantu languages of the Union : Southern Sotho, Northern Sotho, Tswana, Xhosa and Zulu ; and gives a good summary of the most important writers in those languages who owe style and inspiration to English. Textual extracts with English translation are given from each of the languages ; and the subject has been well handled by one who has made a life-long study of these languages. This survey should prove of stimulation and value to all students of South-Eastern Bantu. It is a specialist study which will prove to be an important contribution to the general study of Bantu literature.

C. M. D.

African Contrasts. R. H. W. SHEPHERD & B. G. PAVER. (Cape Town: Oxford University Press, 1947.) 266 pp. quarto illus. 25/-.

This well-produced, profusely illustrated book portrays vividly the remarkable changes through which the Bantu are passing at the present time, owing to the contact between peoples living a primitive life and all the amenities of modern western civilization. The book is not a scientific treatise ; it is intended to give a practical picture of things as they are to-day among the changing Bantu of South Africa. Both authors are well qualified to judge. Dr. Shepherd is Principal of the well-known Lovedale Institution, and Mr. Paver is on the staff of the Bantu Press. The whole treatment of their subject is sympathetic to the African people, their disabilities, their aspirations, and the great potentialities for progress which they possess. The book faces fairly and with great tact the difficulties of race contact which confront South Africa, and the authors fearlessly make proposals for improvement in race relations, and endeavour to allay the fear

that exists of an ultimate submergence of White civilization.

The great aim of the book is to present to visitors to this country and to all who seek knowledge of South Africa, the fact that in the Bantu races here we have millions of men, women and children "of like passions with ourselves", who have their lives to live, their homes to build up, and a great contribution to make to the welfare of South Africa. It is the authors' aim to relegate statistics to the background and to emphasise the human, the personal, element in our attitude to the Native people of South Africa. The book clearly shews that South Africa is painfully behindhand in her legislation to raise the economy, the status and the personal self-respect of the Bantu people. The degrading pass laws enforced in the Transvaal, Natal and Orange Free State Provinces savour of English law against the lower classes of a hundred and fifty years ago. These laws are the cause of untold misery, crime, training in gaol, and a bitter sense of frustration.

The accomplishments of a number of eminent Bantu are described, and their growing achievements in Education, in Medicine and in Literature must be an eye-opener to many a smug South African, who only knows the "girl" in the kitchen, or the "boy" in the garden.

The whole balance of the book is good, and the statements made throughout will bear the test of the closest scrutiny. It should have a large circulation, and do much to disseminate a sound knowledge of a difficult situation, not only to outsiders, but to South Africans, whose judgment is so often swayed by prejudice.

C. M. D.

Tseleng ea Bophelo le Lithothokiso tse Ncha.

JAC. G. MOCOANCOENG. (*Bantu Treasury Series* No. 10, Witwatersrand University Press, 1947.) 53 pp. 2/6.

The first part of this little book is to my knowledge the fourth Sotho play or drama to be printed.

Pitso ea linonyana by Azariel Sekese, *Sek'ona sa joala* by T. M. Mofokeng, followed by *Moshoeshoe le baruti* by B. Makalo Khaketla, were the first three and these were edited at Morija. It is unfortunate that Mr. Mocoancoeng should not have used the suggestions of the author of *Moshoeshoe le baruti*, who to my mind, achieved great progress in general details of play. He proposes a complete new Sotho vocabulary referring to stage directions and this differs from the general appellations of a book, i.e. curtain, act, scene, etc.

Tseleng ea Bophelo is easy to read and keeps the reader interested from the beginning to the end. The story takes place in a location in the Free State. A teacher courts a nice young girl, they get married and after a short period of happiness in their home, the teacher starts living a dissolute life. The young wife suffers in silence until, after an accident caused by his being drunk, the husband returns to a decent life.

As well as for *Sek'ona sa joala* and *Moshoeshoe le baruti*, *Tseleng ea Bophelo* would be difficult to produce on the stage, because of the too great variation of scene.

Act 1 takes place at Bohale's. Act 2 starts at Rantšo's, and ends at school. Act 3 starts at Rantšo's, continues at 'M'a Lebitso's, and ends at Rantšo's. Act 4 starts at Rantšo's, continues at Mpitse's, and ends at Rantšo's.

It seems that there should have been a part in the play, where the bride soliloquizes as well as a part in which the intending bridegroom expresses his hopes about the future of his home. After the couple has entered married life, the writer gives no reasonable period in length to show how, during the first months, both lived happily. No mention is made of children and yet it is generally known amongst the Bantu that the first desired outcome of married life is the offspring, i.e. children. In this drama, the writing is somewhat of a spasmodic and hurried calibre. The play ends without leaving any strong marked impression on the reader.

As for the second part of the book, it contains a few poems. The ideology is somewhat disconnected. These short poems talk about Drought, A river, Home, Mother, A vagabond, "Get thee hence, Satan", Our soldiers who fell, When the sun shines, Blow, blow winter wind, Death is at the corner of a blanket, Sleep and rest, To his companion Sello, Tears of the unlucky person, Exodus, Sleep my child, sleep, The moon, The thirst that does not cease, Alina, Good journey. Most of these could well be used in schools.

There are a few errors in Sotho ; but as a whole the author masters the language. Patience and effort should help Mr. Mocoancoeng to improve and make us expect much of his future writings.

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